JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE FOURTH DAY OF NOVEMBER, IN THE YEAR OF OUR LORD, 1850, AND OF THE COMMONWEALTH, THE FIFTY-NINTH.

FRANKFORT, KY.
A. G. HODGES & CO.....STATE PRINTERS.
1850.

17760

1771 L6

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the city of Frankfort, on Monday, the 4th day of November, in the year of our Lord, one thousand eight hundred and fifty, and in the fifty-ninth year of the Commonwealth—on which day (being that designated by the constitution,) the following members of the House of Representatives appeared, viz:

From the county of *Adair*—Edgar B. Gaither.

From the county of *Allen*—George W. Mansfield.

From the county of *Anderson*—George W. Kavanaugh.

From the counties of *Ballard* and *McCracken*—George H. Morrow.

From the county of *Barren*—Basil G. Smith and Joseph H. Lewis.

From the county of *Bath*—George M. Hampton.

From the county of *Boone*—William B. Murphy.

From the county of *Bourbon*—George W. Williams and William W. Alexander.

From the county of *Boyle*—Albert G. Talbott.

From the counties of *Breathitt* and *Morgan*—William S. Black.

From the county of *Breckinridge*—John B. Bruner.

From the county of *Bullitt*—Richard H. Field.

From the counties of *Butler* and *Edmondson*—Julian N. Phelps.

From the county of *Caldwell*—William H. Galvert.

From the counties of *Calloway* and *Marshall*—Daniel Matthewson.

From the counties of *Carter* and *Lawrence*—George R. Burgess.

From the county of *Casey*—Joel Murphy.

From the county of *Christian*—Edmund Wooldridge and Winston J. Davie.

From the county of *Clarke*—Samuel Hanson.

From the counties of *Clay*, *Letcher* and *Perry*—James T. Woodward.

From the counties of *Cumberland* and *Clinton*—Joel Owsley.

From the county of *Crittenden*—Henry R. D. Coleman.

From the county of *Daviess*—John S. McFarland.

From the counties of *Estill* and *Owsley*—Morton P. Moore.

From the county of *Fayette*—Robert A. Athey and Christopher C. Rogers.

From the county of *Fleming*—Edward F. Dulin and Alfred F. Graham.

From the counties of *Floyd*, *Pike* and *Johnson*—Bernard H. Garrett.

From the county of *Franklin*—Lysander Hord.

From the counties of *Fulton* and *Hickman*—George W. Silvertooth.

From the county of *Garrard*—John B. Arnold.

From the county of *Grant*—Andrew S. Linn.

From the county of *Graves*—John W. Cook.

From the county of *Grayson*—William M. Gray.

From the county of *Green*—William T. Ward.

From the county of *Hardin*—Robert English and Randall G. Hays.

From the counties of *Knox* and *Harlan*—Carlo B. Brittain.

From the county of *Harrison*—Lucius Desha and John Shawhan.

From the counties of *Hancock* and *Ohio*—George W. Williams.

From the county of *Hart*—William H. Gardner.

From the county of *Henry*—Norvin Green.

From the county of *Hopkins*—William Bradley.

From the county of *Jefferson*—Alexander P. Churchill and Samuel L. Geiger.

From the county of *Jessamine*—George I. Brown.

From the county of *Kenton*—Hiram Klette.

From the county of *Larue*—William Beeler.

From the counties of *Laurel* and *Rockcastle*—George P. Brown.

From the county of *Lewis*—John Tompson.

From the county of *Lincoln*—Thomas W. Varnon.

From the county of *Livingston*—Samuel A. Kingman.

From the county of *Logan*—John F. Todd and Burwell C. Ritter.

From the city of *Louisville*—William Preston, Caleb W. Logan, and William H. Grainger.

From the county of *Madison*—William Harris and William T. Terrill.

From the county of *Marion*—Edward C. Purdy.

From the county of *Mason*—Thomas Y. Payne and Peter Lashbrooke.

From the county of *Meade*—Jesse S. Taylor.

From the county of *Mercer*—James M. Alexander.

From the county of *Monroe*—Preston H. Leslie.

From the county of *Montgomery*—Strother D. Mitchell.

From the county of *Muhlenburg*—John G. Gooch.

From the county of *Nelson*—Thomas W. Riley and Elisha F. Wells.

From the county of *Nicholas*—James P. Metcalfe.

From the county of *Oldham*—John Rodman.

From the county of *Owen*—Joseph W. Rowlett.

From the county of *Pulaski*—Cyrenius W. Gilmore.

From the county of *Pendleton*—Joseph Dougherty.

From the county of *Russell*—William M. Green.

From the county of *Shelby*—George W. Johnston and Thomas Todd.

From the county of *Scott*—Richard M. Johnson.

From the county of *Simpson*—Asbury Dawson.

From the county of *Spencer*—Stilwell Heady.

From the county of *Taylor*—Benjamin L. Owens.

From the county of *Todd*—Samuel B. Jesup.

From the county of *Trigg*—Daniel Landes.

From the county of *Trimble*—Ambrose H. Talbott.

From the county of *Union*—Hiram McElroy.

From the county of *Warren*—P. B. Hawkins.

From the county of *Washington*—Thomas S. Grundy.

From the county of *Wayne*—John L. Sallee.

From the county of *Whitley*—Daniel Cain.

From the county of *Woodford*—Robert H. Campbell.

Who, constituting a quorum, and having severally taken the oaths prescribed by the Constitution of this State, repaired to their seats.

Mr. A. H. Talbott nominated Mr. Hiram McElroy as a suitable person to fill the office of Speaker; Mr. A. G. Talbott nominated Mr. George W. Williams of Bourbon; Mr. Rodman nominated Mr. George W. Johnston; Mr. Bruner nominated Mr. Thomas W. Riley; Mr. Mitchell nominated Mr. Samuel Hanson, and Mr. McFarland nominated Mr. John F. Todd; and the vote being taken, it stood thus:

Those who voted for Mr. McElroy, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
William S. Black,	Samuel L. Geiger,	George H. Morrow,
William Bradley,	Alfred F. Graham,	Benjamin L. Owens,
Alexander P. Churchill,	Norvin Green,	Julian N. Phelps,
Henry R. D. Coleman,	Thomas S. Grundy,	Christopher C. Rogers,
John W. Cook,	George M. Hampton,	Joseph W. Rowlett,

Winston J. Davie, Stilwell Heady, John Shawhan,
Asbury Dawson, Richard M. Johnson, George W. Silvertooth,
Lucius Desha, George W. Kavanaugh, Basil G. Smith,
Joseph Dougherty, Daniel Landes, Ambrose H. Talbott,
Richard H. Field, Peter Lashbrooke, William T. Terrill,
Edgar B. Gaither, George W. Mansfield, John Tompson—38
William H. Gardner, Daniel Matthewson,

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander, Samuel A. Kingman, Joel Owsley,
Robert A. Athey, Hiram Klette, John L. Sallee,
William Beeler, Andrew S. Linn, Albert G. Talbott,
Robert H. Campbell, William B. Murphy, Thomas W. Varnon—12.

Those who voted for Mr. G. W. Johnston, were

William H. Grainger, Caleb W. Logan, John Rodman,
Lysander Hord, William Preston, Thomas Todd—6.

Those who voted for Mr. Riley, were

John B. Bruner, William M. Green, Jesse S. Taylor,
Robert English, Randall G. Hays, Elisha F. Wells,
Cyrenius W. Gilmore, Edward C. Purdy, Edmund Wooldridge—10.
William M. Gray,

Those who voted for Mr. Hanson, were

John B. Arnold, Daniel Cain, Morton P. Moore,
Carlo B. Brittain, Edward F. Dulin, Joel Murphy,
George I. Brown, William Harris, Thomas Y. Payne,
George P. Brown, Strother D. Mitchell, James T. Woodward—13.
George R. Burgess,

Those who voted for Mr. John F. Todd, were

William H. Calvert, Preston H. Leslie, Burwell C. Ritter,
John G. Gooch, Joseph H. Lewis, William T. Ward,
P. B. Hawkins, John S. McFarland, G. W. Williams, of H.—10.
Samuel B. Jesup,

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. McElroy, were

James M. Alexander, Bernard H. Garrett, James P. Metcalfe,
William S. Black, Samuel L. Geiger, George H. Morrow,
William Bradley, Alfred F. Graham, Benjamin L. Owens,
Alexander P. Churchill, Norvin Green, Julian N. Phelps,
Henry R. D. Coleman, Thomas S. Grundy, Christopher C. Rogers,
John W. Cook, George M. Hampton, Joseph W. Rowlett,
Winston J. Davie, Stilwell Heady, John Shawhan,
Asbury Dawson, Richard M. Johnson, George W. Silvertooth,
Lucius Desha, George W. Kavanaugh, Basil G. Smith,
Joseph Dougherty, Daniel Landes, Ambrose H. Talbott,
Richard H. Field, Peter Lashbrooke, William T. Terrill,
Edgar B. Gaither, George W. Mansfield, John Tompson—38.
William H. Gardner, Daniel Matthewson,

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Samuel A. Kingman,	Joel Owsley,
Robert A. Athey,	Hiram Klette,	John L. Sallee,
William Beeler,	Andrew S. Linn,	Albert G. Talbott,
Robert H. Campbell,	William B. Murphy,	Thomas W. Varnon—12.

Those who voted for Mr. G. W. Johnston, were

William H. Grainger,	Caleb W. Logan,	John Rodman,
Lysander Hord,	William Preston,	Thomas Todd—6.

Those who voted for Mr. Riley, were

John B. Bruner,	William M. Green,	William T. Ward,
Robert English,	Randall G. Hays,	Elisha F. Wells,
Cyrenius W. Gilmore,	Edward C. Purdy,	Edmund Wooldridge—11.
William M. Gray,	Jesse S. Taylor,	

Those who voted for Mr. Hanson, were

John B. Arnold,	Daniel Cain,	Morton P. Moore,
Carlo B. Brittain,	Edward F. Dulin,	Joel Murphy,
George I. Brown,	William Harris,	Thomas Y. Payne,
George P. Brown,	Samuel B. Jesup,	James T. Woodward—14.
George R. Burgess,	Strother D. Mitchell,	

Those who voted for Mr. J. F. Todd, were

William H. Calvert,	Preston H. Leslie,	Burwell C. Ritter,
John G. Gooch,	Joseph H. Lewis,	G. W. Williams, of H.—8.
P. B. Hawkins,	John S. McFarland,	

Mr. Rodman then withdrew the nomination of Mr. Johnston; and Mr. A. H. Talbott withdrew the nomination of Mr. McElroy.

Mr. Ward then nominated Mr. William Preston as a suitable person to fill the office of Speaker; and Mr. Kavanaugh nominated Mr. William Bradley; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Samuel A. Kingman,	John L. Sallee,
Robert A. Athey,	Hiram Klette,	Albert G. Talbott,
William Beeler,	William B. Murphy,	Thomas W. Varnon—11.
Robert H. Campbell,	Joel Owsley,	

Those who voted for Mr. Riley, were

John B. Bruner,	William M. Green,	Jesse S. Taylor,
Robert English,	Randall G. Hays,	Elisha F. Wells,
William M. Gray,	Edward C. Purdy,	Edmund Wooldridge—9.

Those who voted for Mr. Hanson, were

John B. Arnold,	Daniel Cain,	Andrew S. Linn,
Carlo B. Brittain,	Edward F. Dulin,	Strother D. Mitchell,
George I. Brown,	William Harris,	Morton P. Moore,
George P. Brown,	Lysander Hord,	Joel Murphy,
George R. Burgess,	Samuel B. Jesup,	James T. Woodward—15.

Those who voted for Mr. J. F. Todd, were

William H. Calvert,	Preston H. Leslie,	Burwell C. Ritter,
John G. Gooch,	Joseph H. Lewis,	G. W. Williams, of H.—8.
P. B. Hawkins,	John S. McFarland,	

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore,	Caleb W. Logan,	Thomas Todd,
William H. Grainger,	Thomas Y. Payne,	William T. Ward—8.
George W. Johnston,	John Rodman,	

Those who voted for Mr. Bradley, were

James M. Alexander,	Samuel L. Geiger,	James P. Metcalfe,
William S. Black,	Alfred F. Graham,	George H. Morrow,
Alexander P. Churchill,	Norvin Green,	Benjamin L. Owens,
Henry R. D. Coleman,	Thomas S. Grundy,	Julian N. Phelps,
John W. Cook,	George M. Hampton,	Christopher C. Rogers,
Winston J. Davie,	Stilwell Heady,	Joseph W. Rowlett,
Asbury Dawson,	Richard M. Johnson,	John Shawhan,
Lucius Desha,	George W. Kavanaugh,	George W. Silvertooth,
Joseph Dougherty,	Daniel Landes,	Basil G. Smith,
Richard H. Field,	Peter Lashbrooke,	Ambrose H. Talbott,
Edgar B. Gaither,	George W. Mansfield,	William T. Terrill,
William H. Gardner,	Daniel Matthewson,	John Tompson—38.
Bernard H. Garrett,	Hiram McElroy,	

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Samuel A. Kingman,	Joel Owsley,
Robert A. Athey,	Hiram Klette,	John L. Sallee,
William Beeler,	Andrew S. Linn,	Albert G. Talbott,
Robert H. Campbell,	William B. Murphy,	Thomas W. Varnon—12.

Those who voted for Mr. Riley, were

John B. Bruner,	Randall G. Hays,	Elisha F. Wells,
Robert English,	Edward C. Purdy,	Edmund Wooldridge—8.
William M. Green,	Jesse S. Taylor,	

Those who voted for Mr. Hanson, were

John B. Arnold,	Daniel Cain,	Strother D. Mitchell,
Carlo B. Brittain,	Edward F. Dulin,	Morton P. Moore,
George I. Brown,	William Harris,	Joel Murphy,
George P. Brown,	Lysander Hord,	Thomas Y. Payne,
George R. Burgess,	Samuel B. Jesup,	James T. Woodward—15.

Those who voted for Mr. J. F. Todd, were

William H. Calvert,	Preston H. Leslie,	Burwell C. Ritter,
John G. Gooch,	Joseph H. Lewis,	G. W. Williams, of H.—8.
P. B. Hawkins,	John S. McFarland,	

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore,	Caleb W. Logan,	Thomas Todd,
William H. Grainger,	John Rodman,	William T. Ward—7.
George W. Johnston,		

Those who voted for Mr. Bradley, were

James M. Alexander,	Samuel L. Geiger,	James P. Metcalfe,
William S. Black,	Alfred F. Graham,	George H. Morrow,
Alexander P. Churchill,	Norvin Green,	Benjamin L. Owens,
Henry R. D. Coleman,	Thomas S. Grundy,	Julian N. Phelps,
John W. Cook,	George M. Hampton,	Christopher C. Rogers,

Winston J. Davie,	Stilwell Heady,	Joseph W. Rowlett,
Asbury Dawson,	Richard M. Johnson,	John Shawhan,
Lucius Desha,	George W. Kavanaugh,	George W. Silvertooth,
Joseph Dougherty,	Daniel Landes,	Basil G. Smith,
Richard H. Field,	Peter Lashbrooke,	Ambrose H. Talbott,
Edgar B. Gaither,	George W. Mansfield,	William T. Terrill,
William H. Gardner,	Daniel Matthewson,	John Tompson—38.
Bernard H. Garrett,	Hiram McElroy,	

And then the House adjourned.

TUESDAY, NOVEMBER 5.

Mr. James B. Allen, the member returned to serve in this House from the county of Henderson, and Mr. R. Tarvin Baker, the member returned to serve in this House from the county of Campbell, appeared, and having produced certificates of their election, and taken the oath prescribed by the Constitution, took their seats.

The nomination of Mr. Bradley was then withdrawn.

Mr. Gaither nominated Mr. Lucius Desha, as a suitable person to fill the office of Speaker, and Mr. Leslie nominated Mr. Thomas Y. Payne; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Samuel A. Kingman,	John L. Sallee,
Robert A. Athey,	Hiram Klette,	Albert G. Talbott,
William Beeler,	William B. Murphy,	Thomas W. Varnon—11.
Robert H. Campbell,	Joel Owsley,	

Those who voted for Mr. Riley, were

John B. Bruner,	Randall G. Hays,	Jesse S. Taylor,
Robert English,	Samuel B. Jesup,	Elisha F. Wells,
William M. Gray,	Edward C. Purdy,	Edmund Wooldridge—10.
William M. Green,		

Those who voted for Mr. Hanson, were

John B. Arnold,	George R. Burgess,	Andrew S. Linn,
R. Tarvin Baker,	Daniel Cain,	Strother D, Mitchell,
Carlo B. Brittain,	Edward F. Dulin,	Morton P. Moore,
George I. Brown,	William Harris,	Joel Murphy,
George P. Brown,	Lysander Hord,	James T. Woodward—15.

Those who voted for Mr. J. F. Todd, were

William H. Calvert,	P. B. Hawkins,	Burwell C. Ritter—5.
John G. Gooch,	Joseph H. Lewis,	

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore, Caleb W. Logan, Thomas Todd,
William H. Grainger, John Rodman, William T. Ward—7.
George W. Johnston,

Those who voted for Mr. Desha, were

James M. Alexander, Bernard H. Garrett, James P. Metcalfe,
James B. Allen, Samuel L. Geiger, George H. Morrow,
William S. Black, Alfred F. Graham, Benjamin L. Owens,
William Bradley, Norvin Green, Julian N. Phelps,
Alexander P. Churchill, Thomas S. Grundy, Christopher C. Rogers,
Henry R. D. Coleman, George M. Hampton, Joseph W. Rowlett,
John W. Cook, Stilwell Heady, John Shawhan,
Winston J. Davie, Richard M. Johnson, George W. Silvertooth,
Asbury Dawson, Daniel Landes, Basil G. Smith,
Joseph Dougherty, Peter Lashbrooke, Ambrose H. Talbott,
Richard H. Field, George W. Mansfield, William T. Terrill,
Edgar B. Gaither, Daniel Matthewson, John Tompson—38.
William H. Gardner, Hiram McElroy,

Those who voted for Mr. Payne, were

Preston H. Leslie, John S. McFarland, G. W. Williams, of H.—3.

Mr. Leslie then withdrew the nomination of Mr. Payne, and Mr. McFarland withdrew the nomination of Mr. J. F. Todd.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander, Samuel A. Kingman, Burwell C. Ritter,
Robert A. Athey, Hiram Klette, John L. Sallee,
William Beeler, William B. Murphy, Albert G. Talbott,
William H. Calvert, Joel Owsley, Thomas W. Varnon—13.
Samuel B. Jesup,

Those who voted for Mr. Riley, were

John B. Bruner, William M. Green, Jesse S. Taylor,
Robert H. Campbell, Randall G. Hays, John F. Todd,
Robert English, Joseph H. Lewis, Elisha F. Wells,
John G. Gooch, Edward C. Purdy, Edmund Wooldridge—13.
William M. Gray,

Those who voted for Mr. Hanson, were

John B. Arnold, Edward F. Dulin, Morton P. Moore,
R. Tarvin Baker, William Harris, Joel Murphy,
Carlo B. Brittain, P. B. Hawkins, Thomas Y. Payne,
George I. Brown, Lysander Hord, Christopher C. Rogers,
George P. Brown, Andrew S. Linn, George W. Williams, of H.
George R. Burgess, John S. McFarland, James T. Woodward—20.
Daniel Cain, Strother D. Mitchell,

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore, Preston H. Leslie, Thomas Todd,
William H. Grainger, Caleb W. Logan, William T. Ward—8.
George W. Johnston, John Rodman,

Those who voted for Mr. Desha, were

James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson—37.

Mr. Gaither then withdrew the nomination of Mr. Desha.

Mr. Desha then nominated Mr. James P. Metcalfe, as a suitable person to fill the office of Speaker; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,
Robert A. Athey,
William Beeler,
William H. Calvert,
Hiram Klette,
William B. Murphy,
Joel Owsley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Basil G. Smith,
Albert G. Talbott,
John F. Todd,
Thomas W. Varnon—14.

Those who voted for Mr. Riley, were

John B. Bruner,
Robert English,
William M. Gray,
William M. Green,
Randall G. Hays,
Joseph H. Lewis,
Edward C. Purdy,
Jesse S. Taylor,
Elisha F. Wells,
Edmund Wooldridge—10.

Those who voted for Mr. Hanson, were

John B. Arnold,
R. Tarvin Baker,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
Robert H. Campbell,
Edward F. Dulin,
John G. Gooch,
William Harris,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Thomas Y. Payne,
G. W. Williams, of H.
James T. Woodward—22.

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore,
William H. Grainger,
George W. Johnston,
Samuel A. Kingman,
Preston H. Leslie,
Caleb W. Logan,
Thomas Todd,
William T. Ward—8.

Those who voted for Mr. Metcalfe, were

James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Alexander P. Churchill,
Henry R. D. Coleman,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Christopher C. Rogers,

John W. Cook, George M. Hampton, Joseph W. Rowlett,
Winston J. Davie, Stilwell Heady, John Shawhan,
Asbury Dawson, Richard M. Johnson, George W. Silvertooth,
Lucius Desha, Daniel Landes, Ambrose H. Talbott,
Joseph Dougherty, Peter Lashbrooke, William T. Terrill,
Richard H. Field, George W. Mansfield, John Tompson—37.
Edgar B. Gaither,

Mr. N. Green moved the following resolution, viz:

Resolved, That if, upon the next ballot, no member receives a majority of all the votes cast, we will proceed to take another and final ballot, upon which the gentleman receiving the largest number of votes, shall be declared duly elected Speaker of this House.

And the question being taken on adopting the same, it was decided in the negative.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander, Samuel A. Kingman, Burwell C. Ritter,
Robert A. Athey, Hiram Klette, John L. Sallee,
William Beeler, Andrew S. Linn, Albert G. Talbott,
William H. Calvert, William B. Murphy, John F. Todd,
Robert H. Campbell, Joel Owsley, Thomas W. Varnon—15.

Those who voted for Mr. Riley, were

John B. Bruner, William M. Green, John Rodman,
Robert English, Randall G. Hays, Jesse S. Taylor,
William M. Gray, Edward C. Purdy, Elisha F. Wells—9.

Those who voted for Mr. Hanson, were

John B. Arnold, Edward F. Dulin, John S. McFarland,
R. Tarvin Baker, John G. Gooch, Strother D. Mitchell,
Carlo B. Brittain, William Harris, Morton P. Moore,
George I. Brown, P. B. Hawkins, Joel Murphy,
George P. Brown, Lysander Hord, Thomas Y. Payne,
George R. Burgess, Samuel B. Jesup, G. W. Williams, of H.
Daniel Cain, Joseph H. Lewis, James T. Woodward—21.

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore, Preston H. Leslie, William T. Ward,
William H. Grainger, Caleb W. Logan, Edmund Wooldridge—8.
George W. Johnston, Thomas Todd,

Those who voted for Mr. Metcalfe, were

James M. Alexander, William H. Gardner, Hiram McElroy,
James B. Allen, Bernard H. Garrett, George H. Morrow,
William S. Black, Samuel L. Geiger, Benjamin L. Owens,
William Bradley, Alfred F. Graham, Julian N. Phelps,
Alexander P. Churchill, Norvin Green, Christopher C. Rogers,
Henry R. D. Coleman, Thomas S. Grundy, Joseph W. Rowlett,
John W. Cook, George M. Hampton, John Shawhan,
Winston J. Davie, Stilwell Heady, George W. Silvertooth,

Asbury Dawson,	Richard M. Johnson,	Basil G. Smith,
Lucius Desha,	Daniel Landes,	Ambrose H. Talbott,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Richard H. Field,	George W. Mansfield,	John Tompson—38
Edgar B. Gaither,	Daniel Matthewson,	

Mr. Gooch moved the following resolution, viz:

Resolved, That, in balloting for Speaker, we will proceed, after the next ballot, should no choice be made, to discontinue the name of the candidate having the smallest number of votes, and continue so to do at each succeeding ballot until a Speaker is elected.

And the question being taken on adopting the same, it was decided in the negative.

Mr. Desha then withdrew the nomination of Mr. Metcalfe.

Mr. Bradley nominated Mr. Stilwell Heady as a suitable person to fill the office of Speaker; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Preston H. Leslie,	Albert G. Talbott,
Robert A. Athey,	Joel Owsley,	John F. Todd,
George P. Brown,	John L. Sallee,	Thomas Todd,
Samuel A. Kingman,	Basil G. Smith,	Thomas W. Varnon—12.

Those who voted for Mr. Riley, were

John B. Bruner,	Andrew S. Linn,	Jesse S. Taylor,
Robert English,	Morton P. Moore,	Elisha F. Wells,
William M. Green,	Edward C. Purdy,	Edmund Wooldridge—9.

Those who voted for Mr. Hanson, were

John B. Arnold,	Edward F. Dulin,	John S. McFarland,
R. Tarvin Baker,	John G. Gooch,	Strother D. Mitchell,
Carlo B. Brittain,	William Harris,	Joel Murphy,
George I. Brown,	P. B. Hawkins,	Thomas Y. Payne,
George R. Burgess,	Randall G. Hays,	Burwell C. Ritter,
Daniel Cain,	Lysander Hord,	Christopher C. Rogers,
William H. Calvert,	Samuel B. Jesup,	G. W. Williams, of H.
Robert H. Campbell,	Joseph H. Lewis,	James T. Woodward—24.

Those who voted for Mr. Preston, were

Cyrenius W. Gilmore,	Hiram Klette,	John Rodman,
William H. Grainger,	Caleb W. Logan,	William T. Ward—7.
George W. Johnston,		

Those who voted for Mr. Heady, were

James M. Alexander,	William H. Gardner,	Daniel Matthewson,
James B. Allen,	Bernard H. Garrett,	Hiram McElroy,
William Beeler,	Samuel L. Geiger,	James P. Metcalfe,
William S. Black,	Alfred F. Graham,	George H. Morrow,
William Bradley,	William M. Gray,	Benjamin L. Owens,
Henry R. D. Coleman,	Norvin Green,	Julian N. Phelps,
John W. Cook,	Thomas S. Grundy,	Joseph W. Rowlett,
Winston J. Davie,	George M. Hampton,	John Shawhan,
Asbury Dawson,	Richard M. Johnson,	George W. Silvertooth,

Lucius Desha,	Daniel Landes,	Ambrose H. Talbott,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Richard H. Field,	George W. Mansfield,	John Tompson—37.
Edgar B. Gaither,		

Mr. Davie moved the following resolution, viz:

Resolved, That Samuel B. Jesup, Esq., be and is hereby appointed Speaker *pro tempore*, and that this House proceed to the election of its subordinate officers; and that on to-morrow we proceed to the election of the presiding officer.

And the question being taken on adopting the same, it was decided in the negative.

Mr. Ward then withdrew the nomination of Mr. Preston, and Mr. Bruner withdrew the nomination of Mr. Riley.

Mr. Athey nominated Mr. Edmund Wooldridge as a suitable person to fill the office of Speaker; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Samuel A. Kingman,	Burwell C. Ritter,
William Beeler,	Hiram Klette,	John L. Sallee,
William H. Calvert,	Preston H. Leslie,	Basil G. Smith,
William M. Gray,	Andrew S. Linn,	Albert G. Talbott,
Randall G. Hays,	William B. Murphy,	John F. Todd,
George W. Johnston,	Joel Owsley,	Thomas W. Varnon—18.

Those who voted for Mr. Hanson, were

John B. Arnold,	Daniel Cain,	Strother D. Mitchell,
R. Tarvin Baker,	Edward F. Dulin,	Morton P. Moore,
Carlo B. Brittain,	William Harris,	Joel Murphy,
George I. Brown,	P. B. Hawkins,	Thomas Y. Payne,
George P. Brown,	Lysander Hord,	G. W. Williams, of H.
George R. Burgess,	Joseph H. Lewis,	James T. Woodward—18.

Those who voted for Mr. Heady, were

James M. Alexander,	William H. Gardner,	Hiram McElroy,
James B. Allen,	Bernard H. Garrett,	James P. Metcalfe,
William S. Black,	Samuel L. Geiger,	George H. Morrow,
William Bradley,	Alfred F. Graham,	Benjamin L. Owens,
Alexander P. Churchill,	Norvin Green,	Julian N. Phelps,
Henry R. D. Coleman,	Thomas S. Grundy,	Christopher C. Rogers,
John W. Cook,	George M. Hampton,	Joseph W. Rowlett,
Winston J. Davie,	Richard M. Johnson,	John Shawhan,
Asbury Dawson,	Daniel Landes,	George W. Silvertooth,
Lucius Desha,	Peter Lashbrooke,	Ambrose H. Talbott,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Richard H. Field,	Daniel Matthewson,	John Tompson—37.
Edgar B. Gaither,		

Those who voted for Mr. Wooldridge, were

Robert A. Athey,	William M. Green,	Thomas W. Riley,
John B. Bruner,	Samuel B. Jesup,	John Rodman,
Robert H. Campbell,	Caleb W. Logan,	Jesse S. Taylor,

Robert English, John S. McFarland, Thomas Todd,
Cyrenius W. Gilmore, William Preston, William T. Ward,
John G. Gooch, Edward C. Purdy, Elisha F. Wells—19.
William H. Grainger,

Mr. Bradley then withdrew the nomination of Mr. Heady, and Mr. Athey withdrew the nomination of Mr. Wooldridge.

Mr. Graham nominated Mr. Hiram McElroy as a suitable person to fill the office of Speaker; and Mr. Owsley nominated Mr. William T. Ward; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

Wm. W. Alexander, Hiram Klette, John Rodman,
Wm. Beeler, Andrew S. Linn, Albert G. Taibott,
Wm. H. Calvert, Wm. B. Murphy, Thomas W. Varnon,
George W. Johnston, Burwell C. Ritter, Elisha F. Wells—13.
Samuel A. Kingman,

Those who voted for Mr. Hanson, were

John B. Arnold, Edward F. Dulin, Strother D. Mitchell,
R. Tarvin Baker, John G. Gooch, Morton P. Moore,
Carlo B. Brittain, Wm. Harris. Thomas Y. Payne,
George I. Brown, Lysander Hord, G. W. Williams, of H.
George R. Burgess, Samuel B. Jesup, James T. Woodward—17.
Daniel Cain, John S. McFarland,

Those who voted for Mr. McElroy, were

James M. Alexander, Wm. H. Gardner, James P. Metcalfe,
James B. Allen, Bernard H. Garrett, George H. Morrow,
Wm. S. Black, Samuel L. Geiger, Benjamin L. Owens,
Wm. Bradley, Alfred F. Graham, Julian N. Phelps,
Alexander P. Churchill, Norvin Green, Christopher C. Rogers,
Henry R. D. Coleman, Thomas S. Grundy, Joseph W. Rowlett,
John W. Cook, George M. Hampton, John Shawhan,
Winston J. Davie, Stilwell Heady, George W. Silvertooth,
Asbury Dawson, Richard M. Johnson, Basil G. Smith,
Lucius Desha, Daniel Landes, Ambrose H. Talbott,
Joseph Dougherty, Peter Lashbrooke, Wm. T. Terrill,
Richard H. Field, George W. Mansfield, John Tompson—38.
Edgar B. Gaither, Daniel Matthewson,

Those who voted for Mr. Ward, were

Robert A. Athey, Wm. M. Green, William Preston,
George P. Brown, P. B. Hawkins, Edward C. Purdy,
John B. Bruner, Randall G. Hays, Thomas W. Riley,
Robert H. Campbell, Preston H. Leslie, John L. Sallee,
Robert English, Joseph H. Lewis, Jesse S. Taylor,
Cyrenius W. Gilmore, Caleb W. Logan, John F. Todd,
Wm. H. Grainger, Joel Murphy, Thomas Todd,
Wm. M. Gray, Joel Owsley, Edmund Wooldridge—24.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

Wm. W. Alexander,
John B. Arnold,
Robert A. Athey,
Wm. H. Calvert,
Robert H. Campbell,
Robert English,
Samuel A. Kingman,
Hiram Klette,
Andrew S. Linn,
Wm. B. Murphy,
John Rodman,
Albert G. Talbott,
John F. Todd,
Thomas Todd.
Thomas W. Varnon,
Elisha F. Wells—16.

Those who voted for Mr. Hanson, were

R. Tarvin Baker,
Carlo B. Brittain,
George I. Brown,
George R. Burgess,
Daniel Cain,
Edward F. Dulin,
John G. Gooch,
Wm. Harris,
Lysander Hord,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Thomas Y. Payne,
George W. Williams, of H.
James T. Woodward—15.

Those who voted for Mr. McElroy, were

James M. Alexander,
James B. Allen,
Wm. S. Black,
Wm. Bradley,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Christopher C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Wm. T. Terrill,
John Tompson—39.

Those who voted for Mr. Ward, were

Wm. Beeler,
George P. Brown,
John B. Bruner,
Curenius W. Gilmore,
Wm. H. Grainger,
Wm. M. Gray,
Wm. M. Green,
P. B. Hawkins,
Randall G. Hays,
George W. Johnston,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
Joel Murphy,
Joel Owsley,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John L. Sallee,
Jesse S. Taylor,
Edmund Wooldridge—22.

Mr. G. W. Johnston presented the memorial of William A. Hoskins, contesting the seat of John B. Arnold, the member returned to serve in this House from the county of Garrard, which was received, the reading dispensed with, and laid on the table.

And then the House adjourned.

WEDNESDAY, NOVEMBER 6, 1850.

Mr. Bruner moved the following resolution, viz:

Resolved, That this House will, after nominations this morning, proceed to ballot for Speaker, dropping successively after the first ballot, those having the smallest number of votes, until a Speaker is elected; *and that we will support no gentleman nominated after the first ballot.*

Mr. N. Green moved to amend said resolution by striking out all that part printed in *italics*.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. W. Alexander and Bruner, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Richard H. Field,	Peter Lashbrooke,
James B. Allen,	Edgar B. Gaither,	George W. Mansfield,
Wm. S. Black,	Wm. H. Gardner,	Daniel Matthewson,
Wm. Bradley,	Bernard H. Garrett,	James P. Metcalfe,
Carlo B. Baittain,	Samuel L. Geiger,	George H. Morrow,
Daniel Cain,	Alfred F. Graham,	Benjamin L. Owens,
Alexander P. Churchill,	Norvin Green,	Julian N. Phelps,
Henry R. D. Coleman,	Thomas S. Grundy,	Christopher C. Rogers,
John W. Cook,	George M. Hampton,	Joseph W. Rowlett,
Winston J. Davie,	Stilwell Heady,	John Shawhan,
Asbury Dawson,	Richard M. Johnson,	Basil G. Smith,
Lucius Desha,	Samuel A. Kingman,	Ambrose H. Talbott,
Joseph Dougherty,	Daniel Landes,	John Tompson—39.

Those who voted in the negative, were

Wm. W. Alexander,	P. B. Hawkins,	Wm. Preston,
John B. Arnold,	Randall G. Hays,	Edward C. Purdy,
Robert A. Athey,	Lysander Hord,	Thomas W. Riley,
R. Tarvin Baker,	Samuel B. Jesup,	Burwell C. Ritter,
Wm. Beeler,	George W. Johnston,	John Rodman,
George I. Brown,	Hiram Klette,	John L. Sallee,
George P. Brown,	Preston H. Leslie,	Albert G. Talbott,
John B. Bruner,	Joseph H. Lewis,	Jesse S. Taylor,
George R. Burgess,	Andrew S. Linn,	Wm. T. Terrill,
Wm. H. Calvert,	Caleb W. Logan,	John F. Todd,
Robert H. Campbell,	Hiram McElroy,	Thomas W. Varnon,
Edward F. Dulin,	John S. McFarland,	Wm. T. Ward,
Robert English,	Strother D. Mitchell,	Elisha F. Wells,
Cyrenius W. Gilmore,	Morton P. Moore,	George W. Williams, of B.
Wm. H. Grainger,	Joel Murphy,	George W. Williams, of H.
Wm. M. Gray,	William B. Murphy,	James T. Woodward,
Wm. M. Green,	Joel Owsley,	Edmund Wooldridge—53.
Wm. Harris,	Thomas Y. Payne,	

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Graham then withdrew the nomination of Mr. McElroy.

Mr. McFarland nominated Mr. George W. Johnston as a suitable person to fill the office of Speaker; and the vote being taken, it stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Lucius Desha,	James P. Metcalfe,
Robert A. Athey,	Joseph Dougherty,	William B. Murphy,
William Beeler,	Alfred F. Graham,	Burwell C. Ritter,
William S. Black,	George M. Hampton,	Joseph W. Rowlett,
William H. Calvert,	Samuel A. Kingman,	John Shawhan,
Robert H. Campbell,	Hiram Klette,	Albert G. Talbott,
Henry R. D. Coleman,	Andrew S. Linn,	Ambrose H. Talbott,
John W. Cook,	Daniel Matthewson,	Thomas W. Varnon—24.

Those who voted for Mr. Hanson, were

John B. Arnold,	Daniel Cain,	Thomas Y. Payne,
R. Tarvin Baker,	Edward F. Dulin,	Christopher C. Rogers,
Carlo B. Brittain,	William Harris,	William T. Terrill,
George I. Brown,	Samuel B. Jesup,	John F. Todd,
George P. Brown,	Strother D. Mitchell,	John Tompson,
George R. Burgess,	Morton P. Moore,	James T. Woodward—18.

Those who voted for Mr. Ward, were

Robert English,	P. B. Hawkins,	William Preston,
Edgar B. Gaither,	Randall G. Hays,	Edward C. Purdy,
William H. Gardner,	Joel Murphy,	John L. Sallee,
Cyrenius W. Gilmore,	Benjamin L. Owens,	Edmund Wooldridge—14.
William M. Green,	Joel Owsley,	

Those who voted for Mr. G. W. Johnston, were

James M. Alexander,	Norvin Green,	Hiram McElroy,
James B. Allen,	Thomas S. Grundy,	John S. McFarland,
William Bradley,	Stilwell Heady,	George H. Morrow,
John B. Bruner,	Lysander Hord,	Julian N. Phelps,
Alexander P. Churchill,	Richard M. Johnson,	Thomas W. Riley,
Winston J. Davie,	Daniel Landes,	John Rodman,
Asbury Dawson,	Peter Lashbrooke,	George W. Silvertooth,
Richard H. Field,	Preston H. Leslie,	Basil G. Smith,
Bernard H. Garrett,	Joseph H. Lewis,	Jesse S. Taylor,
Samuel L. Geiger,	Caleb W. Logan,	Elisha F. Wells,
William H. Grainger,	George W. Mansfield,	G. W. Williams, of H—34.
William M. Gray,		

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,	Cyrenius W. Gilmore,	Benjamin L. Owens,
John B. Arnold,	Alfred F. Graham,	Joel Owsley,
Robert A. Athey,	George M. Hampton,	Edward C. Purdy,
William Beeler,	P. B. Hawkins,	Burwell C. Ritter,
William S. Black,	Randall G. Hays,	Joseph W. Rowlett,

William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
Lucius Desha,
Joseph Dougherty,
Robert English,
Edgar B. Gaither,
Samuel A. Kingman,
Hiram Klette,
Andrew S. Linn,
James P. Metcalfe,
Joel Murphy,
William B. Murphy,
John L. Sallee,
John Shawhan,
Albert G. Talbott,
Ambrose H. Talbott,
Thomas W. Varnon,
William T. Ward—34.

Those who voted for Mr. Hanson, were

R. Tarvin Baker,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
Winston J. Davie,
William Harris,
Samuel B. Jesup,
Strother D. Mitchell,
Morton P. Moore,
Christopher C. Rogers,
William T. Terrill,
John F. Todd,
James T. Woodward—15.

Those who voted for Mr. G. W. Johnston, were

James M. Alexander,
James B. Allen,
William Bradley,
John B. Bruner,
Alexander P. Churchill,
John W. Cook,
Asbury Dawson,
Edward F. Dulin,
Richard H. Field,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Stilwell Heady,
Lysander Hord,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
George H. Morrow,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Thomas W. Riley,
John Rodman,
George W. Silvertooth,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Elisha F. Wells,
George W. Williams, of H.
Edmund Wooldridge—43.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. G. W. Williams, of Bourbon, were

William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
William S. Black,
George P. Brown,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
Lucius Desha,
Robert English,
Edgar B. Gaither,
Cyrenius W. Gilmore,
Alfred F. Graham,
George M. Hampton,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel A. Kingman,
Hiram Klette,
Andrew S. Linn,
James P. Metcalfe,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
Thomas W. Varnon,
William T. Ward,
James T. Woodward—40.

Those who voted for Mr. G. W. Johnston, were

James M. Alexander,
James B. Allen,
William Bradley,
William M. Gray,
Norvin Green,
William M. Green,
Strother D. Mitchell,
George H. Morrow,
Thomas Y. Payne,

Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Richard H. Field,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
Thomas S. Grundy,
Samuel Hanson,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
Christopher C. Rogers,
George W. Silvertooth,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Elisha F. Wells,
G. W. Williams, of H.
Edmund Wooldridge—53.

Mr. George W. Johnston having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair, from whence he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Thomas J. Helm was unanimously elected Clerk, and took the oath required by the constitution.

Mr. A. H. Talbott nominated Mr. Culvin Sanders as a suitable person to fill the office of Sargeant-at-Arms, and Mr. Hanson, nominated Mr. Joseph Gray; and the vote being taken, it stood thus:

Those who voted for Mr. Sanders, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Carlo B. Brittain,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Stilwell Heady,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
William Preston,
John Rodman,
Christopher C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
John Tompson—44.

Those who voted for Mr. Gray, were

William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William M. Gray,
William M. Green,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Richard M. Johnson,
Hiram Klette,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John L. Sallee,
Albert G. Talbott,
Jesse S. Taylor,

Daniel Cain,
William H. Calvert,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
William H. Gardner,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
John F. Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—52.

Mr. Joseph Gray having received a majority of all the votes given, was declared duly elected Sargeant-at-Arms, and took the oath required by the constitution.

Mr. G. W. Williams, of Ohio and Hancock, moved the following resolution, viz:

Resolved, That this House will, after nominations are made, proceed to ballot for the officers yet to be elected, dropping successively those having the smallest number of votes, until each office is filled; and that we will support no gentleman nominated after the first ballot.

Which was adopted.

Mr. Bradley nominated Mr. John M. Helms as a suitable person to fill the office of Doorkeeper; Mr. Hays nominated Mr. William R. Campbell; Mr. A. G. Talbott nominated Mr. Vernon A. Wheat; Mr. Sallee nominated Mr. Isaac N. Shepherd; Mr. Churchill nominated Mr. Joseph Croxton; Mr. Hord nominated Mr. William A. Gorham, and Mr. Wooldridge nominated Mr. Greenup Keene; and the vote being taken, it stood thus:

Those who voted for Mr. Helms, were

James B. Allen,
William S. Black,
William Bradley,
Carlo B. Brittain,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
William H. Gardner,
Bernard H. Garrett,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
Christopher C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson—32.

Those who voted for Mr. Campbell, were

William W. Alexander,
Robert A. Athey,
William Beeler,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Randall G. Hays,
Hiram Klette,
Caleb W. Logan,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
George W. Silvertooth,
Jesse S. Taylor,
Elisha F. Wells,
George W. Williams, of B.
James T. Woodward—20.

Those who voted for Mr. Wheat, were

Winston J. Davie, Benjamin L. Owens, Albert G. Talbott,
Edgar B. Gaither, Edward C. Purdy, Thomas Todd,
Preston H. Leslie, Thomas W. Riley, William T. Ward—10.
Joseph H. Lewis,

Those who voted for Mr. Shepherd, were

John B. Arnold, Cyrenius W. Gilmore, Joel Owsley,
George P. Brown, William M. Gray, John L. Sallee,
Daniel Cain, William M. Green, Thomas W. Varnon—9.

Those who voted for Mr. Croxton, were

James M. Alexander, Richard H. Field, William H. Grainger,
Alexander P. Churchill, Samuel L. Geiger, William Preston—6.

Those who voted for Mr. Gorham, were

Mr. Speaker, (Johnston,) William Harris, Andrew S. Linn—5.
R. Tarvin Baker, Lysander Hord,

Those who voted for Mr. Keene, were

George R. Burgess, Samuel B. Jesup, John Rodman,
William H. Calvert, Samuel A. Kingman, John F. Todd,
John G. Gooch, John S. McFarland, G. W. Williams, of H.
Samuel Hanson, Thomas Y. Payne, Edmund Wooldridge—14.
P. B. Hawkins, Burwell C. Ritter,

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James B. Allen, Bernard H. Garrett, Hiram McElroy,
Wm. S. Black, Alfred F. Graham, James P. Metcalfe,
Wm. Bradley, Norvin Green, George H. Morrow,
Carlo B. Brittain, George M. Hampton, Julian N. Phelps,
Henry R. D. Coleman, Stilwell Heady, Joseph W. Rowlett,
John W. Cook, Richard M. Johnson, John Shawhan,
Winston J. Davie, Daniel Landes, Basil G. Smith,
Asbury Dawson, Peter Lashbrooke, Ambrose H. Talbott,
Lucius Desha, George W. Mansfield, Wm. T. Terrill,
Joseph Dougherty, Daniel Matthewson, John Tompson—31.
Wm. H. Gardner,

Those who voted for Mr. Campbell, were

Wm. W. Alexander, Edward F. Dulin, Wm. B. Murphy,
Robert A. Athey, Robert English, George W. Silvertooth,
R. Tarvin Baker, Randall G. Hays, Jesse S. Taylor,
Wm. Beeler, Hiram Klette, Elisha F. Wells,
George I. Brown, Andrew S. Linn, George W. Williams, of B.
John B. Bruner, Strother D. Mitchell, James T. Woodward,
Robert H. Campbell, Morton P. Moore, Edmund Wooldridge—21.

Those who voted for Mr. Wheat, were

Edgar B. Gaither, Benjamin L. Owens, Albert G. Talbott,
Preston H. Leslie, Edward C. Purdy, William T. Ward—7.
Joseph H. Lewis,

Those who voted for Mr. Shepherd, were

John B. Arnold, George P. Brown, Daniel Cain, Cyrenius W. Gilmore, Wm. M. Gray, Wm. M. Green, Wm. Harris, Joel Murphy, Joel Owsley, Thomas W. Riley, John L. Sallee, Thomas W. Varnon—12.

Those who voted for Mr. Croxton, were

James M. Alexander, Richard H. Field, Samuel L. Geiger, Wm. H. Grainger, Thomas S. Grundy, Caleb W. Logan, Wm. Preston—7.

Those who voted for Mr. Keene, were

Mr. Speaker, (Johnston,) George R. Burgess, Wm. H. Calvert, John G. Gooch, Samuel Hanson, P. B. Hawkins, Lysander Hord, Samuel B. Jesup, Samuel A. Kingman, John S. McFarland, Thomas Y. Payne, Burwell C. Ritter, John Rodman, Christopher C. Rogers, John F. Todd, Thomas Todd. G. W. Williams, of H—17.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James B. Allen, Wm. S. Black, Wm. Bradley, Carlo B. Brittain, Henry R. D. Coleman, John W. Cook, Winston J. Davie, Asbury Dawson, Lucius Desha, Joseph Dougherty, Bernard H. Garrett, Alfred F. Graham, Norvin Green, George M. Hampton, Richard M. Johnson, Daniel Landes, Peter Lashbrooke, George W. Mansfield, Daniel Matthewson, Hiram McElroy, James P. Metcalfe, George H. Morrow, Julian N. Phelps, Joseph W. Rowlett, John Shawhan, Wm. T. Terrill, John Tompson—27.

Those who voted for Mr. Campbell, were

Wm. W. Alexander, Robert A. Athey, R. Tarvin Baker, Wm. Beeler, George I. Brown, John B. Bruner, Robert H. Campbell, Edward F. Dulin, Randall G. Hays, Hiram Klette, Andrew S. Linn, Strother D. Mitchell, Morton P. Moore, Wm. B. Murphy, Thomas W. Riley, George W. Silvertooth, Jesse S. Taylor, George W. Williams, of B. James T. Woodward, Edmund Wooldridge—20.

Those who voted for Mr. Wheat, were

James M. Alexander, Robert English, Edgar B. Gaither, Wm. H. Gardner, John G. Gooch, Wm. M. Green, Thomas S. Grundy, Preston H. Leslie, Joseph H. Lewis, Caleb W. Logan, Benjamin L. Owens, Edward C. Purdy, Basil G. Smith, Albert G. Talbott, William T. Ward—15.

Those who voted for Mr. Shepherd, were

John B. Arnold, George P. Brown, Daniel Cain, Cyrenius W. Gilmore, Wm. M. Gray, Wm. Harris. Joel Murphy, Joel Owsley, John L. Sallee, Thomas W. Varnon—10.

Those who voted for Mr. Croxton, were

Alexander P. Churchill,	William H. Grainger,	Christopher C. Rogers,
Richard H. Field,	Stilwell Heady,	Ambrose H. Talbott,
Samuel L. Geiger,	William Preston,	Thomas Todd—9.

Those who voted for Mr. Keene, were

Mr. Speaker, (Johnston,)	Lysander Hord,	Burwell C. Ritter,
George R. Burgess,	Samuel B. Jesup,	John Rodman,
Wm. H. Calvert,	Samuel A. Kingman,	John F. Todd,
Samuel Hanson,	John S. McFarland,	Elisha F. Wells,
P. B. Hawkins,	Thomas Y. Payne,	G. W. Williams, of H—15.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James M. Alexander,	Bernard H. Garrett,	Daniel Matthewson,
James B. Allen,	Samuel L. Geiger,	Hiram McElroy,
William S. Black,	Alfred F. Graham,	James P. Metcalfe,
William Bradley,	Norvin Green,	George H. Morrow,
Carlo B. Brittain,	Thomas S. Grundy,	Julian N. Phelps,
Alexander P. Churchill,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Stilwell Heady,	John Shawhan,
John W. Cook,	Richard M. Johnson,	George W. Silvertooth,
Asbury Dawson,	Daniel Landes,	Ambrose H. Talbott,
Lucius Desha,	Peter Lashbrooke,	William T. Terrill,
Joseph Dougherty,	George W. Mansfield,	John Tompson—34.
Richard H. Field,		

Those who voted for Mr. Campbell, were

William W. Alexander,	Robert English,	Thomas W. Riley,
Robert A. Athey,	Randall G. Hays,	Christopher C. Rogers,
R. Tarvin Baker,	Hiram Klette,	Jesse S. Taylor,
William Beeler,	Andrew S. Linn,	Elisha F. Wells,
George I. Brown,	Caleb W. Logan,	George W. Williams, of B.
John B. Bruner,	Strother D. Mitchell,	James T. Woodward,
Robert H. Campbell,	Morton P. Moore,	Edmund Wooldridge—23.
Edward F. Dulin,	William Preston,	

Those who voted for Mr. Wheat, were

Winston J. Davie,	Joseph H. Lewis,	Albert G. Talbott,
Edgar B. Gaither,	Benjamin L. Owens,	Thomas Todd,
William H. Gardner,	Edward C. Purdy,	William T. Ward—11.
Preston H. Leslie,	Basil G. Smith,	

Those who voted for Mr. Shepherd, were

John B. Arnold,	William M. Gray,	Joel Owsley,
George P. Brown,	William M. Green,	John L. Sallee,
Daniel Cain,	William Harris,	Thomas W. Varnon—11.
Cyrenius W. Gilmore,	Joel Murphy,	

Those who voted for Mr. Keene, were

Mr. Speaker, (Johnston.)
George R. Burgess,
William H. Calvert,
John G. Gooch,
Wm. H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
John S. McFarland,
Thomas Y. Payne,
Burwell C. Ritter,
John Rodman,
John F. Todd,
G. W. Williams, of H.—16.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
William T. Terrill,
John Tompson—34.

Those who voted for Mr. Campbell, were

William W. Alexander,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
William M. Gray,
Randall G. Hays,
Hiram Klette,
Andrew S. Linn,
Strother D. Mitchell,
Morton P. Moore,
William B. Murphy,
Thomas W. Riley,
Basil G. Smith,
Jesse S. Taylor,
Elisha F. Wells,
George W. Williams, of B.
James T. Woodward—22.

Those who voted for Mr. Shepherd, were

John B. Arnold,
Carlo B. Brittain,
George P. Brown,
Daniel Cain,
Edgar B. Gaither,
Cyrenius W. Gilmore,
William M. Green,
William Harris,
Preston H. Leslie,
Caleb W. Logan,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
John L. Sallee,
Albert G. Talbott,
Thomas Todd,
Thomas W. Varnon,
William T. Ward—19.

Those who voted for Mr. Keene, were

Mr. Speaker, (Johnston,)
George R. Burgess,
Wm. H. Calvert,
Alexander P. Churchill,
John G. Gooch,
William H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Joseph H. Lewis,
John S. McFarland,
Thomas Y. Payne,
William Preston,
Burwell C. Ritter,
John Rodman,
Christopher C. Rogers,
John F. Todd,
G. W. Williams, of H.
Edmund Wooldridge—21.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Benjamin L. Owens,
Julian N. Phelps,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John Tompson—35.

Those who voted for Mr. Campbell, were

William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
George I. Brown,
John B. Bruner,
Daniel Cain,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Alfred F. Graham,
William M. Gray,
William Harris,
Randall G. Hays,
Hiram Klette,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Thomas W. Riley,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
James T. Woodward—34.

Those who voted for Mr. Keene, were

Mr. Speaker, (Johnston,)
George R. Burgess,
William H. Calvert,
Alexander P. Churchill,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
William M. Green,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Joseph H. Lewis,
John S. McFarland,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Christopher C. Rogers,
John L. Sallee,
John F. Todd,
George W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—27.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Helms, were

James M. Alexander,
James B. Allen,
Wm. S. Black,
Wm. Bradley,
Carlo B. Baittain,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Richard M. Johnson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Christopher C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,

Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Ambrose H. Talbott,
Wm. T. Terrill,
John Tompson—41.

Those who voted for Mr. Campbell, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
John B. Arnold,
Robert A. Athey,
R. Tarvin Baker,
Wm. Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Daniel Cain,
Wm. H. Calvert,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
Wm. H. Grainger,
Wm. M. Green,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Albert G. Talbott,
Jesse S. Taylor,
John F. Todd,
Thomas Todd.
Thomas W. Varnon,
Wm. T. Ward,
Elisha F. Wells,
George W. Williams, of B.
George W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—55.

Mr. William R. Campbell having received a majority of all the votes given, was declared duly elected Doorkeeper.

Mr. Hawkins nominated Mr. William S. Megowan as a suitable person to fill the office of Assistant Clerk; Mr. Logan nominated Mr. Alexander R. McKee; Mr. George W. Williams, of Bourbon, nominated Mr. Thomas Ware; Mr. Ritter nominated Mr. John M. S. McCorkle, and Mr. T. Todd nominated Mr. John C. Herndon; and the vote being taken, it stood thus:

Those who voted for Mr. Megowan, were

James M. Alexander,
James B. Allen,
William S. Black,
William Bradley,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
P. B. Hawkins,
Stilwell Heady,
Richard M. Johnson,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
Joseph W. Rowlett,
George W. Silvertooth,
Ambrose H. Talbott,
John Tompson—34.

Those who voted for Mr. McKee, were

John B. Arnold,
Robert A. Athey,
Carlo B. Brittain,
Daniel Cain,
Cyrenius W. Gilmore,
William Harris,
Thomas W. Riley,
Albert G. Talbott,
William T. Terrill,

George I. Brown, Caleb W. Logan, Thomas W. Varnon,
George P. Brown, Morton P. Moore, James T. Woodward—17.
George R. Burgess, William B. Murphy,

Those who voted for Mr. Ware, were

William W. Alexander, John Shawhan, G. W. Williams, of B—4.
Lucius Desha,

Those who voted for Mr. McCorkle, were

William H. Calvert, Joseph H. Lewis, Burwell C. Ritter,
Robert English, Strother D. Mitchell, John L. Sallee,
William M. Gray, Joel Murphy, Basil G. Smith,
William M. Green, Benjamin L. Owens, Jesse S. Taylor,
Randall G. Hays, Joel Owsley, John F. Todd,
Samuel A. Kingman, William Preston, William T. Ward,
Preston H. Leslie, Edward C. Purdy, Elisha F. Wells—21.

Those who voted for Mr. Herndon, were

Mr. Speaker, (Johnston,) William H. Grainger, Thomas Y. Payne,
R. Tarvin Baker, Samuel Hanson, John Rodman,
William Beeler, Lysander Hord, Christopher C. Rogers,
John B. Bruner, Samuel B. Jesup, Thomas Todd,
Robert H. Campbell, Andrew S. Linn, G. W. Williams, of H.
Edward F. Dulin, John S. McFarland, Edmund Wooldridge—18.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Megowan, were

James M. Alexander, Richard H. Field, Daniel Landes,
James B. Allen, Edgar B. Gaither, Peter Lashbrooke,
William S. Black, Wm. H. Gardner, George W. Mansfield,
William Bradley, Alfred F. Graham, Daniel Matthewson,
Henry R. D. Coleman, George M. Hampton, Hiram McElroy,
Winston J. Davie, P. B. Hawkins, James P. Metcalfe,
Asbury Dawson, Stilwell Heady, John Shawhan,
Lucius Desha, Richard M. Johnson, Ambrose H. Talbott—25.
Joseph Dougherty,

Those who voted for Mr. McKee, were

John B. Arnold, Bernard H. Garrett, George H. Morrow,
Robert A. Athey, Samuel L. Geiger, Wm. B. Murphy,
Carlo B. Brittain, Cyrenius W. Gilmore, Thomas W. Riley,
George I. Brown, William M. Gray, Christopher C. Rogers,
George P. Brown, Thomas S. Grundy, Albert G. Talbott,
George R. Burgess, Wm. Harris. William T. Terrill,
Daniel Cain, Samuel A. Kingman, John Tompson,
Alexander P. Churchill, Caleb W. Logan, George W. Williams, of B.
Edward F. Dulin, Morton P. Moore, James T. Woodward—27.

Those who voted for Mr. McCorkle, were

Wm. H. Calvert, Strother D. Mitchell, Burwell C. Ritter,
Robert English, Joel Murphy, John L. Sallee,
William M. Green, Benjamin L. Owens, Basil G. Smith,

Randall G. Hays, Joel Owsley, Jesse S. Taylor,
Samuel B. Jesup, Julian N. Phelps, John F. Todd,
Preston H. Leslie, William Preston, William T. Ward,
Joseph H. Lewis, Edward C. Purdy, Elisha F. Wells—21.

Those who voted for Mr. Herndon, were

Mr. Speaker, (Johnston,) William H. Grainger, John Rodman,
Wm. W. Alexander, Norvin Green, Joseph W. Rowlett,
R. Tarvin Baker, Samuel Hanson, George W. Silvertooth,
Wm. Beeler, Lysander Hord, Thomas Todd,
John B. Bruner, Andrew S. Linn, Thomas W. Varnon,
Robert H. Campbell, John S. McFarland, George W. Williams, of H.
John W. Cook, Thomas Y. Payne, Edmund Wooldridge—21.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Megowan, were

James M. Alexander, Richard H. Field, George W. Mansfield,
William S. Black, William H. Gardner, Daniel Matthewson,
William Bradley, Alfred F. Graham, Hiram McElroy,
Henry R. D. Coleman, Norvin Green, George H. Morrow,
John W. Cook, P. B. Hawkins, Julian N. Phelps,
Winston J. Davie, Stilwell Heady, Christopher C. Rogers,
Asbury Dawson, Richard M. Johnson, John Shawhan,
Lucius Desha, Daniel Landes, John Tompson—26.
Joseph Dougherty, Peter Lashbrooke,

Those who voted for Mr. McKee, were

James B. Allen, Bernard H. Garrett, Morton P. Moore,
John B. Arnold, Cyrenius W. Gilmore, Thomas W. Riley,
Robert A. Athey, William M. Gray, Albert G. Talbott,
Carlo B. Brittain, Thomas S. Grundy, William T. Terrill,
George I. Brown, George M. Hampton, Thomas W. Varnon,
George P. Brown, William Harris, George W. Williams, of B.
George R. Burgess, Caleb W. Logan, James T. Woodward—22.
Daniel Cain,

Those who voted for Mr. McCorkle, were

William H. Calvert, Preston H. Leslie, Burwell C. Ritter,
Alexander P. Churchill, Joseph H. Lewis, John L. Sallee,
Robert English, Strother D. Mitchell, Basil G. Smith,
Edgar B. Gaither, Joel Murphy, Jesse S. Taylor,
Samuel L. Geiger, Benjamin L. Owens, John F. Todd,
William M. Green, Joel Owsley, William T. Ward,
Randall G. Hays, William Preston, Elisha F. Wells—23.
Samuel A. Kingman, Edward C. Purdy,

Those who voted for Mr. Herndon, were

Mr. Speaker, (Johnston,) Samuel Hanson, Thomas Y. Payne,
William W. Alexander, Lysander Hord, John Rodman,
R. Tarvin Baker, Samuel B. Jesup, Joseph W. Rowlett,
William Beeler, Hiram Klette, George W. Silvertooth,
John B. Bruner, Andrew S. Linn, Ambrose H. Talbott,

Robert H. Campbell,	John S. McFarland,	Thomas Todd,
Edward F. Dulin,	James P. Metcalfe,	G. W. Williams, of H.
William H. Grainger,	William B. Murphy,	Edmund Wooldridge—24.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Megowan, were

James M. Alexander,	Richard H. Field,	Daniel Landes,
James B. Allen,	Wm. H. Gardner,	George W. Mansfield,
Wm. S. Black,	Bernard H. Garrett,	Daniel Matthewson,
Wm. Bradley,	Alfred F. Graham,	Hiram McElroy,
Alexander P. Churchill,	Norvin Green,	George H. Morrow,
Henry R. D. Coleman,	Thomas S. Grundy,	Christopher C. Rogers,
John W. Cook,	George M. Hampton,	Joseph W. Rowlett,
Winston J. Davie,	P. B. Hawkins,	John Shawhan,
Asbury Dawson,	Stilwell Heady,	Wm. T. Terrill,
Lucius Desha,	Richard M. Johnson,	John Tompson—31.
Joseph Dougherty,		

Those who voted for Mr. McCorkle, were

John B. Arnold,	Samuel A. Kingman,	Edward C. Purdy,
Carlo B. Brittain,	Peter Lashbrooke,	Thomas W. Riley,
George P. Brown,	Preston H. Leslie,	Burwell C. Ritter,
Daniel Cain,	Joseph H. Lewis,	John L. Sallee,
William H. Calvert,	Caleb W. Logan,	Basil G. Smith,
Robert English,	Strother D. Mitchell,	Albert G. Talbott,
Edgar B. Gaither,	Joel Murphy,	Jesse S. Taylor,
Samuel L. Geiger,	Benjamin L. Owens,	John F. Todd,
Cyrenius W. Gilmore,	Joel Owsley,	William T. Ward,
Wm. M. Gray,	Julian N. Phelps,	Elisha F. Wells,
Wm. M. Green,	Wm. Preston,	G. W. Williams, of B—34.
Randall G. Hays,		

Those who voted for Mr. Herndon, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	Wm. B. Murphy,
Wm. W. Alexander,	Samuel Hanson,	Thomas Y. Payne,
Robert A. Athey,	William Harris,	John Rodman,
R. Tarvin Baker,	Lysander Hord,	George W. Silvertooth,
Wm. Beeler,	Samuel B. Jesup,	Ambrose H. Talbott,
George I. Brown,	Hiram Klette,	Thomas Todd,
John B. Bruner,	Andrew S. Linn,	Thomas W. Varnon,
George R. Burgess,	John S. McFarland,	George W. Williams, of H.
Robert H. Campbell,	James P. Metcalfe,	James T. Woodward,
Edward F. Dulin,	Morton P. Moore,	Edmund Wooldridge—30.

No one in nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Megowan, were

James M. Alexander,	William H. Gardner,	John S. McFarland,
James B. Allen,	Bernard H. Garrett,	James P. Metcalfe,
William S. Black,	Samuel L. Geiger,	George H. Morrow,
William Bradley,	Alfred F. Graham,	Julian N. Phelps,

Carlo B. Brittain,	Norvin Green,	Christopher C. Rogers,
William H. Calvert,	Thomas S. Grundy,	Joseph W. Rowlett,
Alexander P. Churchill,	George M. Hampton,	John Shawhan,
Henry R. D. Coleman,	P. B. Hawkins,	George W. Silvertooth,
John W. Cook,	Stilwell Heady,	Basil G. Smith,
Winston J. Davie,	Richard M. Johnson,	Ambrose H. Talbott,
Asbury Dawson,	Daniel Landes,	William T. Terrill,
Lucius Desha,	Peter Lashbrooke,	John F. Todd,
Joseph Dougherty,	George W. Mansfield,	John Tompson,
Richard H. Field,	Daniel Matthewson,	G. W. Williams, of H—44.
Edgar B. Gaither,	Hiram McElroy,	

Those who voted for Mr. McCorkle, were

Mr. Speaker, (Johnston,)	William M. Green,	Joel Owsley,
William W. Alexander,	Samuel Hanson,	Thomas Y. Payne,
John B. Arnold,	William Harris,	William Preston,
Robert A. Athey,	Randall G. Hays,	Edward C. Purdy,
R. Tarvin Baker,	Lysander Hord,	Thomas W. Riley,
William Beeler,	Samuel B. Jesup,	Burwell C. Ritter,
George L. Brown,	Samuel A. Kingman,	John Rodman,
George P. Brown,	Hiram Klette,	John L. Sallee,
John B. Bruner,	Preston H. Leslie,	Albert G. Talbott,
George R. Burgess,	Joseph H. Lewis,	Jesse S. Taylor,
Daniel Cain,	Andrew S. Linn,	Thomas Todd,
Robert H. Campbell,	Caleb W. Logan,	Thomas W. Varnon,
Edward F. Dulin,	Strother D. Mitchell,	William T. Ward,
Robert English,	Morton P. Moore,	Elisha F. Wells,
Cyrenius W. Gilmore,	Joel Murphy,	G. W. Williams, of B.
William H. Grainger,	William B. Murphy,	James T. Woodward,
William M. Gray,	Benjamin L. Owens,	Edmund Wooldridge—51.

Mr. John M. S. McCorkle having received a majority of all the votes given, was declared duly elected Assistant Clerk.

A message was received from the Senate by Mr. Irwin:

Mr. Speaker: I am directed by the Senate to inform this House, that the Senate having met, formed a quorum, and elected their officers, are now ready to proceed to Legislative business. That they had appointed a committee on their part to act in conjunction with a committee on the part of this House, to wait on the Governor, and inform him that they are now ready to receive such communication (by way of message,) as he may think proper to make.

On motion of Mr. Payne,

Ordered, That a committee be appointed to inform the Senate that this House, having met, formed a quorum, and elected their officers, are now ready to proceed to Legislative business.

Whereupon, Messrs. Payne, Hanson, and McElroy, were appointed said committee.

Mr. Grundy moved the following resolution, viz:

Resolved, That the rules which governed the House of Representatives at its last session, be adopted as the rules of this House, until other-

wise altered or amended; and that the Public Printer print 150 copies; and

Resolved, That a committee of seven members be appointed, to revise the said rules, and report to this House.

On motion of Mr. Jesup,

Resolved, That John M. Harlan be allowed a seat in this House, as reporter for the "Commonwealth."

On motion of Mr. Rogers,

Resolved, That W. W. Stapp be allowed a seat in this House, as reporter for the "Yeoman."

On motion of Mr. McFarland,

Ordered, That a committee be appointed to act in conjunction with the committee on the part of the Senate, to wait on the Governor, and inform him that they are now ready to receive such communication (by way of message,) as he may think proper to make.

Whereupon, Messrs. McFarland, Riley, Bradley, Ward, and Churchill, were appointed said committee.

Ordered, That Mr. McFarland inform the Senate thereof.

And then the House adjourned.

THURSDAY, NOVEMBER 7, 1850.

Mr. Logan moved the following resolution, viz:

Resolved, That the petition of William A. Hoskins, be referred to a select committee of five members, and that they have power to send for persons, papers, and records.

Which was adopted.

Whereupon, Messrs. Logan, Hanson, Rodman, McElroy, and Hays, were appointed a committee in pursuance of said resolution.

Mr. McFarland, from the committee appointed to wait on the Governor, reported that they had performed that duty, and were informed by the Governor that he would, in a short time, make to the General Assembly, a communication in writing.

Mr. Payne moved the following resolution, viz:

Resolved, That the ministers of the different religious denominations in the town of Frankfort, are requested to attend and open this House

alternately by prayer; and that the Speaker address a note to each of said ministers, giving notice of the passage of this resolution, and requesting them to comply with the same.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	George H. Morrow,
James M. Alexander,	Wm. M. Gray,	Joel Murphy,
William W. Alexander,	Norvin Green,	William B. Murphy,
James B. Allen,	William M. Green,	Benjamin L. Owens,
John B. Arnold,	Thomas S. Grundy,	Joel Owsley,
Robert A. Athey,	George M. Hampton,	Thomas Y. Payne,
R. Tarvin Baker,	Samuel Hanson,	William Preston,
William S. Black,	Wm. Harris,	Edward C. Purdy,
Wm. Bradley,	P. B. Hawkins,	Thomas W. Riley,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John Rodman,
George P. Brown,	Samuel B. Jesup,	Christopher C. Rogers,
John B. Bruner,	Richard M. Johnson,	Joseph W. Rowlett,
George R. Burgess,	Samuel A. Kingman,	John L. Sallee,
Daniel Cain,	Hiram Klette,	Albert G. Talbott,
William H. Calvert,	Daniel Landes,	Ambrose H. Talbott,
Robert H. Campbell,	Peter Lashbrooke,	Jesse S. Taylor,
Henry R. D. Coleman,	Preston H. Leslie,	Wm. T. Terrill,
John W. Cook,	Joseph H. Lewis,	John F. Todd,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	Caleb W. Logan,	John Tompson,
Edward F. Dulin,	George W. Mansfield,	Thomas W. Varnon,
Robert English,	Daniel Matthewson,	William T. Ward,
Richard H. Field,	Hiram McElroy,	Elisha F. Wells,
Edgar B. Gaither,	John S. McFarland,	G. W. Williams, of B.
William H. Gardner,	James P. Metcalfe,	G. W. Williams, of H.
Samuel L. Geiger,	Strother D. Mitchell,	James T. Woodward,
Cyrenius W. Gilmore,	Morton P. Moore,	Edmund Wooldridge—85.
Alfred F. Graham,		

Those who voted in the negative, were

Asbury Dawson,	Stilwell Heady,	George W. Silvertooth,
Lucius Desha,	Julian N. Phelps,	Basil G. Smith—8.
Bernard H. Garrett,	John Shawhan,	

A message was received from the Governor, by Mr. Finnell, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before this House a message in writing.

The said message was then taken up, and read as follows, viz:

Gentlemen of the Senate
and House of Representatives:

Since the adjournment of the last general assembly the duties of the chief magistracy of this commonwealth have devolved upon me, in consequence of the

17760

resignation of Governer Crittenden. Governor Crittenden could not well be spared by Kentucky at this period, and the people are only reconciled to his departure, by the fact that he has accepted a post at Washington, which, though its duties required a resignation of the office confided to him by the people of Kentucky, extended the sphere of his action and his usefulness. Kentucky gave him up, that he might, on another theatre than that which she had assigned him, devote himself to his country, and the promotion of his country's welfare.

The present is an important period in the history of our beloved state. In the month of June last, the new constitution was proclaimed as the paramount law of the land. On that day, the organic law—the constitution under which for fifty years Kentucky had kept her onward march—the constitution, which for half a century had secured to her people all the rights of freemen, was done away, and a new instrument proclaimed in its stead. May we not have reason to congratulate ourselves as a people, if fifty years hence we shall find ourselves as prosperous, as happy, and as contented as we now are. The changes in government made by the new constitution are many—some of these changes are radical—yet they were made without bloodshed, without strife, and without disturbing the peaceful current of public and private business. How different the scenes from those which, in days past and even now, mark changes in government in the old world. A handful of men assembled in the representative chamber, by a single dash of the pen change the whole structure of the government. No scenes of disorder or of violence attend the proclaiming of the new system. All is calm and quiet. The proclamation is made—the handful of men adjourn and depart for their homes. Their authority is gone—they have finished their labors, and their power has ceased. The new order of things begins, and the people move on peacefully and quietly as before. Such a spectacle challenges the admiration of the world. It teaches a lesson invaluable to the cause of freedom.

Differ as we may as to the propriety of many of the changes in the form of government, it is our duty, and should be our pleasure, to acquiesce in them, and so direct legislation as fairly and fully to test their wisdom. Any factious opposition to the constitution now, would, it seems to me, be unwise if not unpatriotic. The people, through their chosen representatives, have ordained it as the law of the land. The people, by a direct vote at the polls, by a majority almost unparalleled in our history, declared in its favor, and is it not now the duty of every good citizen to give to it a steady support, that the changes it proclaims may be fairly tried. This, in my judgment, we owe to the people, to the country, and to ourselves.

I tender you my cordial congratulations upon the general good health and prosperity of our people.

I may also congratulate you on the financial affairs of the state. The revenue is abundant to meet the ordinary demands upon the treasury, and will furnish a handsome surplus to be applied in payment of the public debt. On the first day of July last, for the first time since the establishment of the school fund, the full amount of the interest on the debt due the commissioners was paid by the first auditor.

Your attention is asked to the following statement of the financial condition of the state. You will find it more in detail by reference to the reports of the first and second auditors, and treasurer.

The receipts into the treasury during the year, ending 10th October, 1850, were - - - - - - - - - -	$598,602 29
Balance on hand 1st October, 1849, - - - - - -	21,009 55
Making, - - - - - - - - - - -	619,611 84
Expenditures from 10th October, 1849 to 10th October, 1850, -	522,754 78
Balance in treasury, - - - - - - - - -	$96,857 06

This sum includes not only the ordinary revenue and sinking fund account, but the extraordinary receipts for paying expenses of the convention.

For the year 1850, it is estimated by the second auditor that the receipts from all sources will be - - - - - - -	$466,612 40
Whilst the expenditures, including the sum payable to the sinking fund and for school purposes, &c., will be - - - -	463,603 39
Supposed balance in the treasury on the 10th October, 1851,	3,009 01

The fiscal year of the sinking fund runs from January to January; the interest on the public debt being payable on the first days of January and July of each year.

The change in the time fixed for the meeting of the general assembly places it out of my power to render to you an exact and specific statement of the receipts and disbursements of the commissioners of the sinking fund for the current year.

The receipts of the sinking fund, beginning 1st January, 1850, and ending 31st December, including the balance on hand at the close of the year 1849, the revenue transferred and to be transferred by the second auditor to the credit of the sinking fund, the dividends due from the banks, and the probable receipts from other sources, amount to about the sum of - -	$444,113 74
The total amount of disbursements for the same time, including the expenses of repair on the rivers, payment of the interest on the debt due to individuals and on the school fund, and other expenses, will amount to about - - - - - - -	365,888 39
Balance to the credit of the sinking fund, - - - -	$78,225 35

The report of the first auditor will more fully and minutely set forth the receipts and expenditures.

The capacity of the sinking fund, its future operations, the prompt payment of the interest, and the final extinguishment of the principal of the debt of the state, are matters of deep public concern, and will demand your attentive consideration.

I have given that section of the constitution which dedicates the resources of the sinking fund to the payment of the interest and principal of the public debt a careful consideration, and my mind has been brought to the conclusion that the payment of the interest on the school fund is no longer a charge on the sinking fund. Of the correctness of this construction I am pefectly satisfied, yet I find there are those who do not concur with me.

I regard the settlement of this question as of much importance, and I therefore give the reasons and facts upon which my opinion is based, and ask that you will, in the consideration of this question, give to these reasons such weight as, in your judgment, they deserve, feeling satisfied that you will settle the question in such a manner as shall meet the views of the framers of the constitution, and best promote the public welfare.

The 34th section of article 2 of the constitution, is in the following language:

"The general assembly shall have no power to pass laws to diminish the re-
"sources of the sinking fund, as now established by law, until the debt of the
"state be paid, but may pass laws to increase them; and the whole resources of
"said fund, from year to year, shall be sacredly set apart and applied to the pay-
"ment of the interest and principal of the state debt, and to no other use or pur-
"pose, until the whole debt of the state is fully paid and satisfied."

The 1st section of article 11 is as follows:

"The capital of the fund called and known as the 'common school fund,' con-
"sisting of one million two hundred and twenty five thousand seven hundred and
"sixty eight dollars and forty-two cents, for which bonds have been executed by

"the state to the board of education, and seventy three thousand five hundred "dollars of stock in the bank of Kentucky; also, the sum of fifty-one thousand "two hundred and twenty three dollars and twenty nine cents, balance of interest "on the school fund for the year 1848, unexpended, together with any sum which "may be hereafter raised in the state, by taxation or otherwise, for purposes of "education, shall be held inviolate, for the purpose of sustaining a system of com- "mon schools. The interest and dividends of said funds, together with any sum "which may be produced for that purpose, by taxation or otherwise, may be ap- "propriated in aid of common schools, but for no other purpose. The general "assembly shall invest said fifty one thousand two hundred and twenty three "dollars and twenty nine cents in some safe and profitable manner; and any por- "tion of the interest and dividends of said school fund, or other money or property "raised for school purposes, which may not be needed in sustaining common "schools, shall be invested in like manner. The general assembly shall make "provision, by law, for the payment of the interest of said school fund: *Pro-* "*vided*, That each county shall be entitled to its proportion of the income of said "fund; and if not called for, for common school purposes, it shall be reinvested, "from time to time, for the benefit of such county."

These two sections plainly indicate two distinct subjects or lines of policy—the one, the prompt payment of the interest and the gradual extinguishment of the principal of the public debt; the other, the fostering and sustaining a system of common schools. To these important matters the attention of the framers of the constitution seems to have been especially directed, and it is, by that instrument, made the imperative duty of the general assembly to see that the public will, as indicated in the constitution, is carried out. To accomplish these two grand objects, it needs no argument to prove that a very large sum of money will be required during every year. The 34th section gives a constitutional direction to certain laws in force at the time the constitution was adopted and proclaimed, incorporating the commissioners of the sinking fund, until the purposes for which that fund was created be accomplished. The commissioners of the sinking fund, or such other person or persons as may be charged with the disbursement of the proceeds of that fund, are vested only with power to receive and set apart that fund, and apply it to the payment of the interest and the extinguishment of the principal of the state debt, until that debt shall be fully paid. It is clear that the sinking fund is first charged with the payment of the interest; and, if there be a surplus, that surplus goes to the payment of the principal *of the debt for the extinguishment of which the sinking fund was established.* So firmly were the framers of the constitution resolved to hold the fund sacred to the extinguishment of this debt, that, though they gave full power to the general assembly to increase the resources of the fund, they expressly deny all power to diminish those resources, until the debt be fully paid.

It would be doing great injustice to the intelligent body of men who framed the constitution, to suppose them capable of laying the foundation of two great financial schemes—charges upon the wealth of the state—without fully understanding the state's resources. It is to be presumed that they understood the amount of the public debt, and the periods at which that debt matured; and their object seems to have been, so to apportion the annual payments as would extinguish the public debt at maturity. If such was not the purpose of the framers of the constitution, then, the hope held out by the 34th section, that the means provided and to be provided were to be used to pay, and would ultimately pay the public debt, is delusive.

It becomes necessary to look into the several legislative acts passed in aid of the sinking fund, that we may learn the resources of that fund, and that we may understand upon what data the action of the convention was based. The following statement will exhibit the estimated resources of the sinking fund.

By the statute of 1836, (3d statute, 292,) there were given to the sinking fund:

The tax on the capital stock of the Bank of Kentucky, Louisville, and Northern Banks, yielding $35,000. Proceeds of dividends on states stock in turunpike roads, yielding $25,000. Proceeds of tolls on the Kentucky and Green river slackwater navigation, yielding $30,000. Surplus in the treasury over $10,000; subsequently, in session of 1844–5, reduced to $5,000. Premium on sale of state bonds.

By the act of 1836, act of February, 1838, (3d statute, 321,) and act of 1843, (session acts, 49,) there were added to the sinking fund:

Dividends on 7,000 shares of stock in Bank of Kentucky, estimated at 8 per cent., $56,000. Dividend on 2,399 shares of stock in the Bank of Kentucky, 8 per cent., $19,192. Dividend on 400 shares Northern Bank stock, 8 per cent., $3,200. Excess of 3 per cent. on $250,000 of stock subscribed in Northern Bank and paid in the bonds of the state, bearing five per cent., now held by Bank of Kentucky, $7,500. Dividend on 406 shares of stock purchased in the Bank of Louisville, 8 per cent., $3,248.

By the act of 1843, (session acts, 35.) Proceeds of five cents tax on the $100 worth of property; average yield, $125,000.

By session acts, 1845, page 69, and session acts, 1847, page 55, the following resources were added: State stock in Lexington and Ohio Railroad, $150,000, estimated at a fraction over 6 per cent., 10,000. Proceeds of bond executed by the Louisville and Frankfort railroad to the state, $76,420, at 6 per cent., $4,585—these two items not receivable until the roads declare a dividend. In the latter, some time may elapse before a dividend will be declared.

By acts of 1838, (3d statute, 322,) profits of penitentiary.

Session acts, 1843, page 87, tax on broker's offices.

By act of 1838, (3d statute, 322,) proceeds of lease of water power.

By act of 1837, (3d statute, 106,) proceeds of debts due to Bank of the Commonwealth, and state's portion of debts due to old Bank of Kentucky.

By statute of 1845, (session acts, page 31,) proceeds of the sales of non-residents' lands. The proceeds of the Craddock fund. The last enumerated resources may be classed as miscellaneous, and uncertain, and estimated at an average yield of $4,000.

If to this sum the further sum of $20,000 may be safely added for surplus in the treasury over $5,000 arising from biennial sessions of the legislature, you have the full product of the sinking fund, amounting to - - $342,725

Amount of yearly disbursement, - - - - - - 250,000

Annual surplus, - - - - - - - - $92,725

The surplus in the sinking fund for 1850, it is supposed, will amount to $78,225 35.

The surplus in the treasury is under the control of the general assembly, and may, from time to time, be profitably and wisely used in aid of the sinking fund, by judicious appropriations to unfinished public improvements. Whether there will be an increase in the valuation of the property of the state, and an increase, from that cause, of the surplus in the sinking fund, will depend mainly upon the selection of faithful and competent assessors. I am inclined, however, to think, the surplus will not probably exceed $100,000, nor will it fall short of $50,000. If, however, nothing shall be derived from the revenue—and the prababilities are, there will be no surplus from the revenue for a few years—then we may safely set down the annual surplus in the sinking fund at from $65,000 to $75,000.

I cannot, in candor, restrain the expression of my fears that the election of the assessors of taxable property will not prove to be a successful and valuable change, and that it may result in consequences tending to embarrass and confuse our system of finance. Allow me, therefore, respectfully to suggest, that their duties be

plainly prescribed and enforced by the infliction of adequate penalties. I have long entertained the opinion that the employment of a number of persons in the same county, to assess the value of property, could not fail to multiply the chances of unequal taxation. With a view to guard against such a result, I suggest for your consideration the propriety of providing by law for the appointment, in each county, of a board of equalization, consisting of two or more persons; the duty of such board to be to meet after the return of the commissioners' books at the county town, and to carefully examine the valuation of property, and to equalize the same by increasing or decreasing the value as assessed by the assessors. Such a system has been adopted by other states, and has been attended with success, not only in guarding the public interest, but in giving satisfaction to the people. Such a supervisory power could not fail to render the assessors more vigilant and uniform in the discharge of their duties, and guard the citizen against the partiality or prejudice which may be engendered by a heated election or other improper cause.

Having ascertained the resources of the sinking fund, we must now look to the annual demand upon it for interest, the amount of debt to be paid, and the periods at which that debt will mature. I here subjoin a statement of the debt, which, according to my understanding, is to be paid out of the proceeds of the sinking fund. In this statement I include only the debt to individuals, and not that due to ihe commissioners of the school fund.

There is now due, of the public debt, the sum of - - -		$545 00
Of bonds bearing 5 per cent. interest there will fall due in 15 years, the sum of - - - - -	$221,000 00	
In 16 years, the sum of - - - -	100,000 00	
In 21 years, the sum of - - - -	165,000 00	
In 23 years, the sum of - - - -	100,000 00	
Total amount of 5 per cent. bonds, - - - - -		586,000 00
Of bonds bearing 6 per cent. there will fall due in 18 years, the sum of - - - - - - -	$1,250,000 00	
In 20 years, the sum of - - - -	447,500 00	
In 21 and 22 years, the sum of - - -	1,738,000 00	
In 24 years, the sum of - - - -	150,000 00	
In 26 and 28 years, redeemable after 15 years at the pleasure of the state, - - - -	69,000 00	
The Craddock fund, 6 per cent., - - -	6,592 81	
Total amount of 6 per cent. bonds to fall due, - - -		3,661,092 81
Total amount of public debt due to individuals and corporations, other than the commissioners of the school fund, -		$4,247,637 81

Bonds of the state were issued to the Northern Bank in payment of stock in that bank to the amount of $250,000. Those bonds are still outstanding, represented by an equal amount of stock in the bank. The stock is estimated as equal to the bonds, and by the discharge of the bonds the stock will be absorbed. If that amount be added to the above sum—and it has been usual so to class it—you have the same sum reported by my predecessor, less $15, paid since his annual message. I have thought proper to separate the $250,000 issued in payment of Northern Bank stock from the other debt, for the reason that certain means are provided for its payment.

By the above table it will be seen that the public debt to individuals, &c., amounts to the sum of $4,247,637 81. The interest on that sum, chargeable to the sinking fund is $248,999; to which add a fraction over $1,000 for contingencies and expenses, and you have an annual interest charge of the sum of $250,000, provided the public debt be not reduced.

It is a matter of interest to know to what extent a given sum applied annually to the payment of the public debt, added to the yearly increase of the surplus created by the yearly reduction of the principal, would reduce the debt. I will illustrate my idea by assuming $50,000 as the sum to be paid annually. That sum applied annually upon the basis before stated, will, in fifteen years, reduce the public debt $1,283,626; $62,500 annually applied for the same period, will reduce the debt $1,604,532; $75,000 annually applied for same period, will reduce the debt $1,925,428; $87,500 annually applied for same period, will reduce the debt $2,246,344; $100,000 annually applied for same period, will reduce the debt $2,567,352.

Thus you will perceive that, by the payment of the largest supposed annual surplus, there will remain unpaid of the public debt at the end of fifteen years, the sum of $1,680,285. I have not extended my calculations beyond fifteen years, because about that time the charters of the old banks of the state expire, and the resources of the sinking fund may be very materially changed.

To pay the supposed balance of $1,680,285, the state has, beside her investment on the rivers and turnpike roads, bank stock $1,020,500; stock in Lexington and Frankfort railroad $150,000; the bond of the Louisville and Frankfort railroad for $76,420—making an aggregate of $1,246,920; which, if it could be applied to the payment of the debt due at the end of fifteen years, would leave but $433,365 due and unpaid. This calculation is based upon the supposition that the public debt may be paid at par.

How far the resources of the sinking fund may be affected by the recent increase of banking capital in the state, is a question I cannot determine. It is not improbable, however, that the banks in which the state has stock, and from which she derives a handsome dividend annually, may think it safe to diminish their business; on the other hand, however, the increased capital, if demanded by the business and commercial interests of the country, will promote the general prosperity, increase the value of property and the rate of assessment, all of which will redound to the benefit of the general revenue and sinking fund accounts. These are questions belonging more peculiarly to the commissioners of the sinking fund. To them the constitution has confided a high and important duty—they are charged with the preservation of the public faith. It is your duty, however, to see that they lack not the means to preserve untarnished the state's good name.

You now have before you what the sinking fund can perform, if left to its operations independent of and wholly relieved from the payment of the interest on the school fund. Its capability to pay the interest on that fund, together with the sum due to individuals, &c., will now be tested.

The school fund amounts to the sum of - -	$1,326,770 01	
The annual interest on that sum is - - - - - -		67,013 49
Add to that the sum to be paid to individuals and cover contingencies, - - - - - - - - - - -		250,000 00
And you have the aggregate sum of interest, payable annually,		$317,013 49

Charge the resources of the sinking fund with that sum, annually, and you have the data before you upon which to determine the sufficiency or insufficiency of the fund for the payment of the whole interest and the whole debt of the state.

It is plain to be seen that the two purposes cannot be accomplished by that fund. Indeed, the strong probabilities are, that the fund may become inadequate to the full payment of the *interest*, due alike to individuals and to schools. In such an event, the language of the constitution, being an imperative injunction to pay the *interest*, would place disbursing officers in the attitude of all other holders of trust funds. Where the fund is inadequate to the payment of all its charges, it becomes the duty of the trustee to make a *pro rata* distribution. The legal presumption is, that all the interest bonds or coupons will be presented at maturity.

What right would a disbursing officer have to postpone one and pay the other? What right would he have, if sworn to support the constitution, to discriminate between creditors? If such right exist, then he has the power to postpone one as well as the other. So, by such construction, the constitution would be made to defeat its own high purpose of preserving inviolate the public credit by the obstinacy and self-will of a subordinate public officer. Such a course would embarrass the operations of the sinking fund, jeopardize the public credit, and confuse the regular operations of the school system. We know, not only from the political intelligence of the framers of the constitution, but from an examination of their debates, that they had before them, in substance, the data here presented. The object of the 34th section was to secure, beyond all contingency, the public credit from dishonor—to provide for the certain payment of the interest and principal of the state's indebtedness. This provision was sought to be made, by declaring in the constitution the sinking fund to be a sacred fund—to be held in trust for the payment of the *interest* and *principal* of the state's debt. And in view of the known fact of the inadequacy of that fund to accomplish that purpose and pay the interest on the school fund, in the 1st section of article 11, after ascertaining the amount and dedicating the school fund, the constitution uses this language: "*The general assembly shall provide the means by law for the payment of the interest of said school fund.*" Here, there is an act to be performed, in future, by creating a fund necessary to the accomplishment of the entire purpose of the constitution; the performance of which renders the mandates of the constitution easy of execution and free from embarrassment. If such be not the true construction, then the constitution makes no innovation upon the existing statutes, except to make it imperative upon the disbursing officers to pay to the school fund its due proportion of whatever there may be to pay. This would result in endless and inextricable confusion. But if the command be directory to pay the interest, it is equally imperative to pay the principal of the school fund. That construction—if you regard the injunction to pay the principal of the public debt of any obligatory force—will make it necessary to increase the resources of the sinking fund to an amount which will be equal to the payment of the entire interest, and, by gradual reduction, ultimately to sink the principal of the whole debt.

To pay the interest and sink the principal of a debt is the true meaning of the term "sinking fund." To give such a fund a direction which will fail to accomplish that purpose, will be to divert it from the legitimate ends of its creation.

In forming an estimate of any financial regulation, the history of the past should not be neglected; the light of experience as well as the voice of reason should be consulted. From our own national government we may learn a lesson of the beneficial effects of a well regulated sinking fund. The large national debt due by us at the termination of the late war with Great Britain was finally discharged by the operation of a sinking fund. The national debt created by the prosecution of the war with Mexico must be paid by the same financial scheme. Shall we be governed by the lights of experience, and in a time of unexampled prosperity provide for and guard against an evil hour? Or, shall we rush on blindly, indifferent to the future, until we find ourselves overwhelmed in debt—to meet which, the people must be borne down with heavy and insupportable taxation, with the greater part of the available resources exhausted by the expiration of the charters of the banks—or driven to the odious and ruinous principle of funding our debt—is a question for you to determine? But to return to the argument. Is the principal of the school fund a debt which is to be paid? I think not. I think the 1st section of the 11th article of the constitution was intended to be a constitutional recognition of the existence of a fund, the active or actual means of which were known to have been exhausted; but to give perpetuity to its existence, that constitutional recognition was made. It was made the high duty of every sworn legislator to see that the interest on that fund, thus recognized by the con-

stitution, was promptly paid. I think it was not contemplated to obliterate or cancel the principal of this debt to the common school commissioners, by a payment in money. If you diminish the principal, in like ratio you reduce the income. The principal once paid must be absorbed either in its application to schools, or, under the requisitions of the constitution, vested in stocks. Such investment would subject it to the legislative will, and it might as well be vested in turnpike, railroad, river stock, or bank stock, as in any other. The power of the legislature over it, if once paid, would be full and complete. Thus may the fund under such construction be made to loose its high constitutional position; and while the legislature may squander it, the constitutional provision will be left inoperative—a standing monument of legislative folly. Has not the exercise of such a power been the subject of deep seated murmuring on the part of the people, affording a fruitful source of popular clamor to stump orators and parliamentary debaters? The postponement of the interest due to the board of education, and the full payment of that due to individuals, has been denounced by some as a robbery of the poor children of the country, and by others as an act of repudiation. It is paying but a poor compliment to the intelligence of any man professing to know anything of the financial history of the state, to ascribe to him ignorance of the fact, that it was the inability of the sinking fund to meet the interest due, as well to individuals as the school fund, which produced the postponement of the school fund interest.

The point to which I wish to bring the legislature is totally to separate the two funds in their operations, and make them mutually independent. Let each look to and rely upon its own resources. Make the children of the country no longer dependent upon the crumbs which may fall from the table of others. Let it be the purpose and duty of the commissioners of the sinking fund to strengthen into manhood its funds, that it may be adequate to the payment of the public debt. Let it no longer be entangled and weakened by looking to the payment of contingent remainders.

In like manner make the resources of your school system certain and fixed, that the individual to whom may be committed the important trust of superintending the education of the children of the country, may know how far to extend the system, and what amount he may safely calculate upon to sustain those in operation. Those who framed the constitution, while they deprived you of the honor of originating a scheme for the more certain success of the common school system, relieved you from the responsibilty of providing the means. They direct what shall be done—it is your to obey. It was stated on the floor of the convention that the 11th article would, eventually, lead to an increase of taxation for educational purposes. If that statement was denied, it has escaped my notice. Indeed, it could not have been successfully controverted, if it was designed that any part of the principal of the state's debt should be paid under the operation of the 34th section. When I say it may be considered that you have lost the honor, by the fact of acting in obedience to a command, I mean to be understood as expressing the opinion that there is more honor won by a public man in the performance of one voluntary act—noble in its character, having for its object the conferring of lasting advantages upon the community—than by serving half a lifetime in the performance of the ordinary routine of legislative business, compensated by the barren honor of repeated elections.

Fifteen years have passed away since the laying of the statutory foundation of common schools. During the greater part of that time nothing was accomplished, either from the jealousy of parties or unbecoming timidity on the part of the representatives of the people. The genius of orators was employed in amusing the children and their parents by naratives of what had been and what had not been done for them; yet, while they amused and entertained, they left the children uninstructed. At length a resolution was taken to submit the great question to the people, and most nobly did they rebuke the timidity of their former representa-

tives, and fully vindicate the truth that bills drawn upon them for the noble purpose of educating the youth of the country will not be dishonored.

Since that time, I am happy to say, the common school system is rapidly and steadily extending itself throughout the commonwealth. The people in every part of the state are becoming more and more interested in this great scheme, and there remains no doubt of our ability to accomplish every thing that the most sanguine friends of the cause have ever proposed. In this, however, as in every great and beneficent undertaking, we must not forget that the results to be attained bear a constant proportion to the wisdom, the energy, and the steadfastness, with which the object is pursued. The general education of the people is an object of the very highest importance in all possible conditions of human society, and is absolutely vital in free states. It has been from the foundation of this commonwealth the subject of many and highly favorable legislative enactments, and of many and most honorable exertions, both general and local. Now, more than ever, we must consider it as one of the settled and most important questions of the public policy of Kentucky, to bring the blessings of education within the reach of all her youth. I have to assure the general assembly that no part of my public duty will be more grateful to me, than a hearty concurrence in all that may be judged needful in carrying to the highest perfection, a system of public education which will be worthy of the state, and answerable to the high career which she proposes to herself. This is a platform upon which, for a glorious and common object, all men, all parties, and all interests may cordially unite.

The great question of extending the system of general education beyond the common school, and providing higher advantages for the future prosecution of knowledge, is certainly well worthy the consideration of the legislature. Nothing should be done to jeopardize, in the least degree, the perfect success of the common school system. But I recommend to the legislature the inquiry, whether it is not completely in its power, and, indeed, one of the means of perfecting the common school system, to devise some plan by which some portion of the school fund may be annually used in such manner as to furnish to the more meritorious pupils of the district school more extended opportunities. One palpable result of such a plan, would be the furnishing of a great and constantly increasing number of highly qualified teachers for the schools of the state—a result, if there were no other, of incalculable importance. Nothing could inspire a more cordial state of feeling among the youth of the commonwealth, than to be taught at the same school, and receive their education at the hands of a neighbor, friend, and associate.

For particular information, touching this subject in all its bearings, I refer you to the annual report of our able and intelligent superintendent of public instruction.

Pursuant to an act of the last legislature there was executed to the board of education the bond of the state for $101,001 59. The school fund now consists of the bonds of the state to the amount of $1,326,770 01.

There has been paid by the commissioners of the sinking fund to the board of education since the last session, the sum of -	$33,506 75
The amount due from the treasury, collected in 1849, - -	39,554 96
The amount collected in the year 1850, - - - - -	49,854 93
There will be due and payable from the sinking fund 1st January, 1851, - - - - - - - - - - - -	33,506 75
Making, - - - - - - - - - - -	$156,423 44

If the sinking fund is no longer charged with the annual interest on the school fund, and the sum necessary to pay that interest be raised by taxation, the resources of the school fund may be hereafter estimated as follows:

The amount of interest payable on bonds of state, - - -	$67,013 49
Product of two cent tax, - - - - - - - -	48,854 98
Bank dividends, - - - - - - - - - -	5,880 00
Aggregate, - - - - - - - - - -	$122,747 47

The accounts of the sinking and school fund are now closed, as shown by the above expose. You now have it in your power, if, indeed, it is not your bounden duty, to place the system of common schools on a footing safe and sure, and by the certainty of its resources, infuse new ardor and zeal, and strengthen the hopes of its friends and advocates.

I feel an abiding conviction that you will discharge that important duty in a manner to commend yourselves to the favorable consideration and lasting gratitude of the people.

We are admonished by every patriotic feeling, every desire to contribute to the purity of our free institutions, to set about putting this system into operation, that it may be engrafted as part and take deep root in our new form of government; that it may date its efficient organization with and progress as part of the great system of reform adopted by the people. In this country every man is a sovereign, and it should be our business to qualify every citizen for a public servant. Let us do this, and we may have the proud consolation of witnessing the cultivated intellect rise above and bid a lofty defiance to the power of money.

The capacity of the people to superintend and direct the management of public affairs, is the principle upon which our government is founded. The people have not this capacity unless they have the knowledge to enable them to understand the value of a free government, and the virtue to sustain it. Equality is necessary to the preservation of a republic; our laws have been wisely directed to create and preserve that equality.

The newly established form of government has for one of its objects the extension of that principle in the government. To confide to the direct care and control of the people the greatest extent of power that can be exercised consistent with good order, is one of its contemplated purposes. While it is the great leading principle upon which our government is founded, that man is capable of self-government, we would deny an infallible truth if we should undertake to controvert the fact that man is a compound of good and evil. It should be the first purpose of society to cultivate man's highest and distinguishing attribute, that he may himself learn the great truth that man is only competent to govern others when he shall have learned to govern himself; teach him that he must first be taught how to correct the evil that is in his own heart, before he can safely be trusted with the correction of the evil in the hearts of others. Without knowledge, without education, without science, a nation cannot long be free. An humble village school house, with its unpretending master and ragged urchins, is more terrible to the despot than legions of armed soldiery. Rear your children in ignorance, and they are ready to be made slaves. Educate them—teach them how to be free—and no power on earth can enslave them.

Before dismissing entirely those subjects which are more intimately connected with the finances of the state, permit me to suggest a difficulty arising from the construction I have given to the 34th section of the constitution, and which may produce some embarrassment. My construction of that section is, that the commissioners of the sinking fund, or other officers charged with the disbursement of that fund, are vested with no other power than to receive, set apart, and pay over, from year to year, first the interest and then the surplus to the extinguishment of

the debt. The difficulty is in this: The bonds of the state bearing six per centum per annum are now above par, ranging from five to seven per cent. premium. I am satisfied that a yearly demand for them will certainly increase the rate of premium. Are the commissioners to go into the market and buy the bonds, whenever they shall have a surplus, regardless of the premium; or shall they keep the funds until they are able to buy at par? Will they be permitted to use the surplus fund otherwise than in the direct payment of the debt of the state? May the surplus be invested in other stocks, and held for the use of the commissioners charged with the payment of the debt until such time as the bonds may be purchased at par? If the power to invest is admitted, the law incorporating the commissioners of the sinking fund, as passed in 1844–5, allows ample discretion, if not deemed inconsistent with the provisions of the constitution. The people are prone to censure officers. To give confidence in the state's public officers and agents, and to relieve them from unnecessary and unmerited censure, it is the duty of the general assembly to define with certainty their duties, powers, and responsibilities. I therefore invite the attention of the legislature to the questions here suggested, and ask an expression of opinion at as early a day as practicable.

In this connection allow me to suggest that the labor of superintending and auditing the ordinary revenue, the sinking fund, and the school fund, is too onerous to be borne by one man; and I recommend, therefore, the establishment of a bureau, or the appointment of a second auditor; and that such duties may be assigned to that bureau or officer as may be found necessary to the successful management of the business confided to the first or chief auditor.

The affairs of the state penitentiary will of course receive your attention. The number of prisoners in confinement on the 1st of December, 1849, as reported in the last annual message of my predecessor, was one hundred and forty-one. Seventy-one had been received from that period up to the 20th of October last. Twenty-eight had been discharged, two had escaped, and twenty three had died, leaving one hundred and fifty-nine at that time in confinement. A detailed statement of the affairs of the institution will be furnished to you by the agent and keeper in due time. Early in the month of August last, the cholera made its appearance in the prison, and did not entirely disappear until about the middle of September. Too much praise cannot be awarded to the agent, physician, and other officers of the prison, for their kind, constant, and faithful attention to the wants of the prisoners during that trying period; all the operations of the institution were suspended, and nothing was left untried to relieve the wants of the sick, and calm the fears of those who were well. I do not doubt that the affairs of the prison have been well and prudently managed.

The change in the mode of selecting the public officers, and in the tenure of office, under the new form of government, will make it your duty, in my judgment to re-adjust the tariff of salaries and fees paid to the several officers. This task I am very well aware, is a delicate one, and will be attended with no little difficulty. But delicate and difficult as the task is, I do not entertain a doubt that you will agree with me in opinion that the success of the experiment of popular elections depends greatly upon its manly and fearless performance. You must inspire confidence in the new system by inviting men of good judgment, sound principles, and practical business habits to fill the various offices of the government. Yours is a highly responsible, and, to the mere politician, by no means an enviable position. The framers of the constitution have given the people a government eminently popular. To you is confided the difficult and certainly not less responsible duty of putting the government into successful operation. The services of men who are honest, competent, and faithful, can be secured only by offering good salaries. If the fees and salaries be fixed at a low rate, the standard of merit and worth in an officer will be correspondingly low. A man who is found willing to

work for the state at a merely nominal salary, will most frequently be found to be worth less than his pay, little as that pay may be. For good work we must be willing to pay a good price. I wish it understood, however, that I do not advise an extravagant or wasteful expenditure of the public treasure. There should be economy in all the departments of the government. The burthens of the people should not be unnecessarily increased. Men differ, however, very widely in their views of public as well as private economy. Some measure the standard of economy by the sums actually paid out. I do not so view it. In the employment of public agents, true economy consists in procuring for the least price the services of men who are qualified to perform the duties of their respective stations, with promptitude, with skill, and with fidelity. The services of such men are well worth the largest sum the most liberal would be willing to pay.

In the consideration of this subject allow me, with earnestness and deep solicitude, to call your especial attention to the compensation of judicial officers. There is no principle, in the change from the old to the new form of government, in which the triumph of the new is so deeply implicated, as in the success of the judicial system.

It would be an idle task, if not indeed an insult to your judgment, for me to consume your time in an elaborate essay upon the importance of an independent judiciary. Freemen—intelligent freemen—understand the importance of having a judiciary free and independent. They know it is essential to the preservation of the rights of a free people. It is essential to the preservation of the constitution—the people's charter. It is necessary to the protection of the weak against the oppressions of the strong. It is necessary to hold in check the bad passions of the mob. No nation can be free if it have a dependent judiciary. There is but one way to secure an independent judiciary. You must offer such inducements as will invite to the bench the best men of the state—men of known legal ability and of unquestioned integrity—men who will not fear to look danger in the face—men who will not hesitate to shield the innocent and punish the guilty—who will interpose between the mob and its victim. You must secure men who will represent truly the majesty of the law; then, and not till then, will you have secured a firm, faithful, and independent judiciary.

I am aware that there prevails in the minds of many of the people a prejudice against the payment of what are called "high salaries." What are high salaries? Certainly the people of Kentucky have no reason to complain that their public treasure has been squandered in the payment of exorbitant salaries to their public servants, at least not to their judiciary. It is a fact, known to us all, that the salaries heretofore paid, even with the limited amount of labor to be performed, have failed, to some extent, to command the services of the ablest and best lawyers. The reason is too obvious for comment.

In consequence of the reduction of the number of districts, the physical and mental labor to be performed by the judge, will be increased probably one third, and his personal expenses will be in like manner increased. If when, heretofore, the labor was less, the place obtained without a struggle, and the tenure was for good behaviour, the salary offered failed to command, generally, the best men, is it probable it will do it now? I am sure you will answer it will not. Will a lawyer in good business, with many and valuable fees half earned, with a practice confined to a small circuit, allowing him time for repose and improvement, to enjoy some of the comforts of domestic life, and to aid by personal superintendence an economical administration of his private affairs—will such a man consent to receive a judgeship?—to receive less pay, perform more labor, and to submit to the very many deprivations which he must necessarily undergo—to involve himself first in a doubtful contest, in which he will be subjected to all the unpleasant incidents which we know attend a popular election, and at the end of six years, run the risk of being superseded and brought back to the bar to renew his practice. Your

own good sense will furnish a prompt answer to the question. The increased labor, mental and physical, will render it necessary that men who attain judicial stations, should be sound lawyers when they enter upon the discharge of their duties, for they will have but little time afterwards to read and acquire a scientific knowledge of the law. They must be good lawyers when they go upon the bench, or they never will be good judges afterwards.

I deny that it is either just or proper to make the allowance to a public officer barely sufficient to meet his necessary yearly expenditures. Men should employ the vigor of manhood in acquiring the means of support in advanced age. They must guard against penury and want, when they shall be no longer able to labor. Wise men plant the tree in the days of their youth, that shall shelter and protect them on their road to the grave. If you do not provide a salary sufficient to justify the employment of the whole time of a judge, he will, if a man possessing the proper amount of energy to make him a useful public officer, prompted not less by interest than by the instinct of his nature, look to other means to supply the wants of his family. Thus he may be part judge and part farmer, trader, merchant, or something else, until at length he will become an incomplete part of any thing. But it is said much is due to the honor of the station. True, it is agreeable to a large majority of men to be placed by the confidence of their fellow-citizens in positions from which they derive distinction and honor. But the lives of our public men too well attest that men cannot *live* on honor. I submit, whether by making your offices places of honor alone, you will not confer them upon that class of men who have wealth to live independent of office, and thus rather create distinctions than produce equality in society. To my mind the true policy is to give a full, fair, liberal, and just equivalent for the services of a capable man, whether rich or poor, that the offices may be objects of fair competition among the meritorious, and let honor follow a faithful and enlightened discharge of the duties of the station.

You cannot be blind to the fact that in this glorious country of ours, there are vast fields every where opening to the enterprising and energetic men of thought, which promise most bountiful returns for labor. If we would appropriate to our state the services of men who are invited to those fields of promise, we must pay them and that liberally. The state should not ask the labor of her citizens for a less sum than that labor will command from others. A parsimonious allowance to the public officers will cause the offices to be looked to with indifference by the really meritorious and worthy, and ultimately the government must fall into the hands of those who will rely more on the chances of peculation than the compensation allowed by law.

I most respectfully invite you to inform yourselves of the action and policy of other states upon this subject, and more especially of those which have adopted your popular theory of government.

What I have said in regard to the salary of the district judges will apply with equal if not with greater force to the appellate judges—more especially if they are required to hold courts in different parts of the state. You have the power to require the judges of the appellate court to hold their sittings in four different districts, embracing different sections of the state. In considering the propriety of exercising that power, you will doubtless regard it in all its bearings; the convenience to the people in bringing near them the court of the last resort; the increase of litigation; the expense attending it; the increase of judicial labor, and the multiplying officers, are all considerations to be weighed by you.

I suggest for your consideration the propriety of giving probate jurisdiction to the presiding judge of the county court. By allowing moderate, yet adequate fees to compensate for the labor performed in the settlement of estates, aided by a reasonable salary paid out of the county levy, the office of presiding judge may be made to command the services of able and competent men. There rests on the

commonwealth a high obligation to see that the estates of deceased persons are fairly administered. By giving to the presiding judge a supervisory power over administrations, and requiring yearly reports to be made to him by executors, administrators, and guardians, of the precise condition, productive use, and the manner of management of estates—great security will be given to infants who are incapable in law to manage their estates. It might not be improper to vest the judge with power to direct what portion of the estate should be expended in rearing and educating children, whose estates are in the hands of fiduciaries. If the county court shall be made to offer inducements sufficient to command the services of competent men, it might, in the future, be found safe to increase its jurisdiction, and thereby lessen the labors of the circuit judges, which I apprehend will be found so onerous, as, in the end, greatly to retard the administration of justice.

There is nothing of more importance to a commonwealth than that the penal laws, though administered in mercy, be faithfully, promptly, and efficiently executed. Punishment should be measured by the turpitude of the crime committed, yet it should be inflicted with certainty and decision. Public opinion recoils at the infliction of excessive punishment.

The office of commonwealth's attorney is one of great importance to society and to the individual citizen. The office should be filled by men of ability and decision of character. Under the new constitution that office will be attended with much labor, and, in consequence of the increased size of the judicial districts, it will require a much larger personal expenditure than heretofore.

With a view to secure the prompt attention and faithful discharge of the duties assigned the various officers who receive fixed salaries, it is made your duty by the constitution to regulate, by law, in what case deductions shall be made for a neglect of duty.

It is your duty under the constitution to provide by adequate penalties against bribery or treating in elections. This I regard as a highly important matter. A man should not be permitted to win an office of profit or honor, by means which are dishonorable and degrading. It will be your duty also to pass such laws as in your wisdom may be deemed necessary to prevent or punish all tumult and disorder at the polls. Your enactments on these subjects cannot be too stringent, if you would keep pure the stream along which all candidates for public honor must pass.

By the constitution it is made the duty of the present general assembly to appoint "not more than three persons, learned in the law, whose duty it shall be to "revise and arrange the statute laws of the commonwealth, both civil and crimi- "nal, so as to have but one law on any one subject; and also three other persons, "learned in the law, whose duty it shall be to prepare a code of practice for the " courts, both civil and criminal, in this commonwealth, by abridging and simpli- "fying the rules of practice and laws in relation thereto."

By an act of the last general assembly it was made the duty of the governor to appoint such commissioners, with a view to the attainment at the earliest day of the objects contemplated by the framers of the constitution. The governor performed that duty, by the appointment of gentlemen to each of the commissions, whose legal ability gives us the best assurance that their labors will be performed in a manner highly satisfactory to the country. Those commissioners will, I presume, be ready at an early day to report in part the result of their labors; and from my knowledge of them, and the high character they have won in the legal profession, I am sure I hazzard nothing in commending, in advance, their work to your approval.

If it shall be deemed necessary to a strict compliance with the letter of the constitution to exercise the right of appointment confided to you by that instrument, I venture respectfully to suggest that the same gentlemen be chosen. They have performed much of the work contemplated, and their re-appointment

will not only be a saving of money, but it will greatly facilitate your effort to give to the people the legal reforms demanded.

I sincerely hope that the constitutional denunciation of the duel—a mode of adjusting personal differences at war with the laws of nature and of God—will have a salutary effect. There is a practice, however, growing daily in extent—the carrying of concealed weapons—which I regard as more pernicious and mischievous in its consequences, if possible, than the duel. This cowardly practice you now have the constitutional power to suppress.

To discriminate between an honest purpose to defend one's self against the lawless and unprovoked attacks of the assassin, and the wicked thirst for blood and for revenge for some real or imaginary personal wrong or indignity, I know is sometimes a difficult task. But, difficult as it is, the country will expect at your hands, and the country will have a right to expect, an earnest and well directed effort to overcome that difficulty, that the peaceful and unoffending citizen may be secure from the deadly attacks of those who have hitherto prowled about our towns, literally encased in belts of knives and pistols. Ample power is given to you, that by the infliction of adequate penalties you may rob the assassin of his instruments of death. I need not recount to you the many instances of crime and murder our state has been called to witness, which have been caused by this miserable practice. Our newspapers come to us almost every day with stories of outrages, affrays, and bloodshed, very nearly all of which may be traced to the practice of carrying concealed weapons. This is truly a lamentable state of things. Yet it is, I am pained to confess, too true; and I most respectfully but earnestly admonish you, as you value the peace and good order of society, as you prize the lives of your fellow-citizens, and the well being of your own children, to strike this evil with a heavy hand.

The apportionment of representation and defining the boundaries of judicial districts, are subjects to which you will doubtless give due consideration; and influenced, as I am sure you will be, by an honest desire to deal justly with all sections of the state, I hope your action will meet the approbation of the people. To provide for the settlement of private differences by arbitration; to make suitable provision for the exoneration of the securities of public officers; to direct the manner of holding the appellate and circuit courts, in the event of the absence of the judge, or his having an interest in the cause under trial, are all matters of great public concern, and will demand your attention.

To fix the day for the election of the minor executive and ministerial officers; to prescribe the mode for determining contested elections; to direct the manner of making the returns of elections and officers elected, of the state, district, and county; to provide how vacancies shall be filled; to direct the mode of proceeding in impeachments in courts of justice; to divide the counties into election districts, or to declare by whom and in what manner that duty shall be performed; to pass general laws affording remedies in the great variety of cases heretofore remedied by special acts of the legislature; to provide for changes of venue and writs of error in criminal cases, are matters to which it is made my duty to call your attention, and which will constitute no small or unimportant part of the labor you will be required to perform.

The question of internal improvement, I regard as settled for the present, so far as the participation of the state in any new scheme is concerned. The constitutional provision on the subject makes it altogether unnecessary to enter into an argument upon the policy of expenditures by the legislature in new schemes of public improvement; but I cannot, consistently with what I conceive to be my duty, fail to recommend and urge you to employ all the means at your command and under your proper control towards the completion of the great lines of improvement that are now in an unfinished condition, and in which the state has an interest. It is certainly an unwise policy to permit these improvements, upon

which very large sums have been expended, to remain unfinished and go to decay and ruin for the want of the inconsiderable sums necessary to complete them; and I feel satisfied that many of the lines yet unfinished, and which now pay no return into the treasury, would, if finished, very soon yield a handsome dividend, not only on the sum necessary to complete them, but on the whole amount of the state's interest in them. If the general assembly has not the power to appropriate money in aid of these unfinished lines, that body, in my judgment, should not hesitate to offer the most liberal inducements to individuals and companies to take hold of and finish them. I beg to refer you to the report of the able and enlightened president of the board of internal improvement for a statement of the condition of the public works.

That a body clothed with legislative power may act understandingly upon any subject whatever, connected with the advancement of the country and general prosperity of the people, it is of the first importance that that body shall be well informed in regard to the pursuits of the people, and the sources of the country's wealth. Allow me, therefore, to suggest the propriety of the passage of a law by which the amount, kind, and value, of the agricultural products, of the manufactured articles, and of the commerce of the state may be ascertained. Every citizen in the commonwealth is interested in knowing the facts here proposed to be collected. Such information imparted to the people would, probably, result in opening new fields for the enterprising, and operate as a stimulant to industry. It would, besides, enable the legislature to offer inducements to the people to embark in branches of commerce, manufactures, and agriculture, which are not now numbered among their pursuits.

In connection with this subject, I submit for your consideration the propriety of ordering a minute geological reconnoissance of the state, especially of those regions which are supposed to abound in minerals. The importance and usefulness of such a measure cannot be estimated by conjecture. The discoveries that may follow a careful and extended survey by competent geologists, may lead to results of much greater importance than would be supposed upon a superficial view of the subject. It is a well established principle in domestic economy that nothing should be purchased abroad that can be produced or manufactured at home. This principle applies even more forcibly to the management of the affairs of a nation. Immense sums, we know, are annually withdrawn from circulation in Kentucky to be expended in other states in the purchase of coal, iron, salt, and of many manufactured articles necessary to the household, the field, and the workshop. It is confidently believed that we have hidden beneath the surface of the earth, within the limits of our state, the means adequate not only to the production of all those articles needed for our own use, but that we may become large exporters. Develop the mineral wealth of the state, and you will open to the people new branches of industry; you will diversify labor; you will invite large investments of capital, and you will make the regions, which are now considered poor, by far the most wealthy and prosperous in the state. Manufacturing establishments will spring up all around you. They will afford a good home market for your agricultural products, and the aggregate wealth of the state will be greatly increased.

Kentucky must not close her eyes to the future. Her sister states, with fewer natural advantages than she possesses, are far ahead of her in the struggle for wealth and greatness. They work while we are idle. Difficulties that seem to appal our people, are apparently unnoticed by them in their onward march. Nature has not slighted us. She has given us a soil unequalled—a position, geographically, that will enable us, if we will but avail ourselves of it, to rival the most favored and prosperous of our sisters.

It is gratifying to know that many of our fellow-citizens are beginning to observe and estimate properly the disadvantages under which we shall labor, if we are much longer blind to the movements our sister states are making. S. Carolina, Alabama,

Georgia, and Tennessee are actively engaged in a great railroad enterprise, in which we are deeply interested. They are stretching out their iron arms towards our border, and they invite us to aid them in the completion of their great work. We have thus far done comparatively nothing towards the construction of railroads. Yet, I doubt, if there is a state in the union more interested than Kentucky in such works of improvement in the valley of the Mississippi. Several of the most important lines in the country must pass through Kentucky, and if we lend our energies to the work, they will be completed at no very distant day. May we not hope that the spirit which has recently manifested itself to begin the work, will continue to grow until the many lines now completed and in progress to our borders are met by lines passing through our state. If we can by this means avail ourselves of the rich markets of the north and south for our surplus products, we shall have wealth enough at home, without sending our people to seek it in other and distant lands. Let not Kentucky be behind others in the effort to bind together this great nation with bands of iron. Let not Kentucky's link be wanting in the great chain that is to encircle our nation and make us one people.

Since the adjournment of the last general assembly, the nation has been called to mourn the loss of a great and good man—Zachary Taylor, chief magistrate of the United States. Though we deeply and sincerely lament his death, we have great reason to congratulate ourselves that his mantle has fallen upon a man worthy to wear it. Millard Fillmore, the president of the United States, has exhibited in his administration of the affairs of the general government, a liberality, a fairness, and a fidelity to the constitution, that have won for him a widely extended and an honorable fame. His manly and patriotic devotion to the union, entitle him to the gratitude of every true lover of his country. With such a man at the head of affairs we may feel well satisfied that all the powers of the executive will be honestly, faithfully, and firmly directed to the execution of the laws and the preservation of the constitution.

The clouds which for some months past blackened the political horizon and threatened the safety of the union have been dispelled, and the skies are again bright and full of promise and of hope. In the passage of the compromise measures by the last congress, the friends of the union achieved a triumph that carried joy and gladness to the fireside of every habitation in Kentucky, and caused a thrill of pleasure in every patriotic heart in the union. The plotters of the nation's ruin have been defeated and put to shame, and the friends of liberty every where rejoice.

The people of Kentucky learned with honest pride that their representatives played a conspicuous and noble part in the settlement of the questions which menaced the union. Fired by an honest zeal and patriotic devotion to the nation, they forgot or disregarded all mere party differences and party divisions, and united as one man in the support and vindication of the constitution. As, in times past, when danger threatened the union, when disunionists, and factionists, and fanatics, united in an attempt to sever the bands that bind this glorious confederacy together, our own great statesman was found foremost in the ranks of the defenders of the constitution. In the council and in the cabinet—wherever there was found a representative of Kentucky—*there* was also found a true, loyal, steadfast, and unyielding friend of the constitution and the union. The promise given by my immediate predecessor, in his annual communication to the last general assembly, that "Kentucky will stand by and abide by the union to the last," has been thus far nobly kept. It will never be broken.

Kentucky owes a debt of gratitude—a debt she will ever be ready to pay—to those distinguished statesmen of the north and the south, of both the great political parties, who, disregarding all sectional and party divisions, boldly and patriotically stepped forth in the defence of the constitution, and rescued it from

the hands of its enemies and despoilers. They have preserved the union—and they have won for themselves a place in the hearts of their countrymen.

May we not hope that their labors will be crowned with complete success, and that the spirit of disorder and misrule, now broken, will be banished forever. The judgment of the sound and reflecting portion of the people, of all sections, condemns, I am sure, the dangerous radical doctrines of both extremes of the union. The people are not agitators; the people are not factionists. Will they not fix the seal of their disapprobation upon those, who, for selfish purposes, would fan the flame of discord in the nation, and renew again the fearful fire that threatened to consume us? Kentucky, I am sure, will stand by the constitution and the laws. May she not ask—nay, has she not a right to demand of her sisters in the confederacy—partners in the great national compact—that they too will be true to the constitution and its compromises? It is gratifying to observe with what unanimity the people of the south are declaring in support of the great measures of peace passed by the last congress. Every breeze brings us the glad tidings that the friends of the compromise representing that quarter in congress are hailed with pride by their constituents. It was feared that the angry feeling there engendered would not soon subside. But we have reason to hope it is gone—the conviction that the constitution has been vindicated and that the union is safe. has filled the hearts of the people with joy. We turn with unfeigned sorrow and regret to the accounts that reach us from some of our sister states in the northern portion of the confederacy. There we hear loud murmurings at the passage of one of the compromise measures—the fugitive slave bill. There the friends of that measure are openly denounced and contemned; even more, armed resistance to its execution is gravely threatened. I cannot believe that any respectable portion of the people of the north participate in this feeling. It cannot be that they are willing again to stir up the spirit of discord. Who is there to guarantee that our noble old ship will be able again to weather so dire and dreadful a storm as that from which she has just escaped? No man who loves his country or values properly her institutions, will aid in bringing about again the fearful crisis we have just passed. An armed or forcible resistance to the execution of the fugitive slave law is treason, and those who counsel, aid, or assist in that unholy work, are traitors to the constitution, and enemies to the best interests of the nation.

It should ever be borne in mind that the general government is one of limited powers, and was never designed to interfere with the domestic institutions of any of the local sovereignties, directly or indirectly. The power to declare what should or what should not be property was never intended to be delegated to it; but its protecting shield was extended over whatever had been recognized as such by any of the states. I cannot but be deeply and profoundly impressed with the importance of maintaining with inviolable sanctity the great doctrine that a government which is the federal representative of all the states, should, in its legislation, abstain from hostile action against the property of any state or section. It has no right to throw its moral influence against the tenure of property, recognized as such by any of the states. It prostitutes its powers and the purposes of its organization, by assuming an attitude of hostility to the existence of any particular property in any state or section. It wisely conformed itself in its original organization to the domestic institutions then existing. The government was made with a reference to the institution of domestic slavery. Any, the slightest interference with it was cautiously avoided. The surest and most certain mode of perpetuating that government peaceably and in harmony, must be by administering it in the spirit in which it was made. As the common government of each and all the states, it is bound not to discriminate between the domestic institutions of one state or section and another. Strict non-intervention by the general government, with the protection guarantied by the constitution, is the only true and safe doctrine. It is the doctrine upon which the great compromise questions were set-

tled. Those questions could not have been settled upon any other principle. It is the only doctrine compatible with the great fundamental principle of our political system, that a people have a right to establish whatever government they think proper for themselves.

JOHN L. HELM.

NOVEMBER 5, 1850.

A TABLE showing to what extent the yearly application of $50,000, together with the surplus created in the sinking fund, in consequence of a yearly reduction of the principal, will reduce the public debt in fifteen years. I propose beginning the calculation with the year 1850, as there will be at least $100,000 surplus within the years 1850 and 1851 to apply to the payment of the debt.

The public debt is, - - - - - - -	$4,247,637 81	
1850—January 1, apply payment of - - -	50,000 00	
	$4,197,637 81	
Such payment will increase the surplus in sinking fund the sum of $3,000, so that the two years will reduce the public debt, - - -	$103,000 00	paid by January 1, 1851.
2d years increase of surplus, - - - -	6,180 00	
Payment, - - - - - - -	50,000 00	
	159,180 00	paid by January 1, 1852.
3d years surplus, - - - - - - -	9,550 80	
Payment, - - - - - - - -	50,000 00	
	218,730 80	paid by January 1, 1853.
4th years surplus, - - - - - -	13,123 80	
Payment, - - - - - - -	50,000 00	
	281,854,60	paid by January 1, 1854.
5th years surplus, - - - - - - -	16,911,27	
Payment, - - - - - - -	50,000 00	
	348,765 87	paid by January 1, 1855
6th years surplus, - - - - - - -	20,925 95	
Payment, - - - - - - - -	50,000 00	
	419,691,82	paid by January 1, 1856.
7th years surplus, - - - - - - -	25,181 50	
Payment, - - - - - - - -	50,000 00	
	494,873 32	paid by January 1, 1857.
8th years surplus, - - - - - - -	29,692 39	
Payment, - - - - - - - -	50,000 00	
	574,565 71	paid by January 1, 1858.
9th years surplus, - - - - - - -	34,473 94	
Payment, - - - - - - - -	50,000 00	
	659,039 65	paid by January 1, 1859.
10th years surplus, - - - - - - -	39,542 37	
Payment, - - - - - - - -	50,000 00	
	748,582 02	paid by January 1, 1860.
11th years surplus, - - - - - - -	44,914 92	
Payment, - - - - - - - -	50,000 00	
	843,496 94	paid by January 1, 1861.
12th years surplus, - - - - - - -	50,609 81	
Payment, - - - - - - - -	50,000 00	
	944,106 75	paid by January 1, 1862.

Amount brought forward, - -	$944,106 75	paid by January 1, 1862.
13th years surplus, - - - - - -	56,646 40	
Payment, - - - - - - - -	50,000 00	
	1,050,753 15	paid by January 1, 1863.
14th years surplus, - - - - - -	63,045 18	
Payment, - - - - - - - -	50,000 00	
	1,163,798 33	paid by January 1, 1864.
15th years surplus, - - - - - -	69,827 89	
Payment, - - - - - - - -	50,000 00	
	$1,283,626 22	paid by January 1, 1865.

The public debt will be reduced $1,283,626 22 in the year 1865, as appears by the above calculation.

On motion of Mr. A. H. Talbott,

Resolved, That the Public Printer forthwith print 5,000 copies of said message, for the use of the members of this House.

Mr. Cook read and laid on the table the following resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five upon the part of this House, and three upon the part of the Senate, be appointed to visit and examine the condition of the Lunatic Asylum at Lexington, and report thereon.

The rule of the House, requiring joint resolutions to lie on the table one day, having been dispensed with, the said resolution was taken up, twice read, and concurred in.

Mr. Preston moved the following resolution, viz :

Resolved, That the select committee on rules, shall inquire into the expediency of establishing five committees, in addition to those directed by the fourth rule of the House, which shall be styled—

1. The committee on the Court of Appeals ;
2. The committee on Circuit Courts ;
3. The committee on County Courts ;
4. The committee on the Revision of the Statutes ;
5. The committee on the Code of Practice.

Which was adopted

The Speaker laid before the House a communication from the Superintendent of Public Instruction, which is as follows, viz :

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
Lexington, November 4, 1850. }

To the Senate and House of Representatives of the Commonwealth of Kentucky :

The period at which the present General Assembly convenes being nearly two months in advance of that contemplated in all the laws relating to the common school system of the State, the particular provision which requires the Superintendent of Public Instruction to report within the first ten days of the session, can only be complied with as matter of form.

It is not until the end of December, that the tabular statements which

accompany my annual report are, by law, allowed to be finally closed. At the earliest possible moment after that, I will submit to the General Assembly a full report. In the mean time, I shall hold myself in readiness to communicate any information in my possession to either House, or any committee, or member of either, that may be required, touching the progress and condition of the cause of public education in the State; and, in the course of a few days, will cause to be delivered to every member of the Legislature a printed copy of my last annual report.

I may venture, at present, in anticipation of the details to be hereafter submitted, to state that immense progress has been made during the year now drawing to a close, and that it is my firm conviction, that the highest anticipations of the government and the people are realized in what has been accomplished thus far in this great and benificent undertaking.

RO. J. BRECKINRIDGE,
Superintendent of Public Instruction.

The Speaker appointed Messrs. Grundy, Hanson, J. F. Todd, Williams, of Bourbon, Riley, Preston, and Desha, the committee in pursuance of the resolution moved by Mr. Grundy on yesterday, to revise the rules.

Mr. Leslie read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on Monday, the 11th day of November, 1850, they will proceed to elect three persons, learned in the law, whose duty it shall be to revise and arrange the Statute Laws of this Commonwealth, both civil and criminal, so as to have but one law on any one subject; and also, on said day, will proceed to elect three other persons, learned in the law, whose duty it shall be to prepare a Code of Practice for the Courts, both civil and criminal.

Leave was given to bring in the following bills, viz:

On motion of Mr. A. G. Talbott—1. A bill concerning free negroes and mulattoes.

On motion of same—2. A bill to prevent slaves hereafter emancipated from remaining in this State.

On motion of Mr. Allen—3. A bill to increase the jurisdiction of Justices of the Peace.

On motion of Mr. Payne—4. A bill to divide the State into four appellate, and twelve circuit judicial districts, and to fix the place for the setting of the Appellate Court in each appellate district.

On motion of Mr. McElroy—5. A bill to form the twelve judicial districts of this Commonwealth.

On motion of Mr. Leslie—6. A bill to provide for the districting the several counties into voting precincts.

On motion of Mr. N. Green—7. A bill to amend the Common School Law, establishing County School Treasurers, &c.

On motion of Mr. Gilmore—8. A bill to incorporate Somerset R. A.

Chapter, No. 25; also, Pulaski Lodge, No. 111, and Curd Lodge, No. 175.

On motion of Mr. Owsley—9. A bill to incorporate Cumberland Lodge, No. 149.

On motion of same—10. A bill for the benefit of Allen C. Scott.

On motion of Mr. Hanson—11. A bill to regulate the salaries of the Appellate and Circuit Judges.

On motion of Mr. W. M. Green—12. A bill to provide for the running and marking the County line between Adair and Russell.

On motion of Mr. Garrett—13. A bill for the benefit of the officers and soldiers of the war of 1812, and those engaged in the Indian wars since 1790.

On motion of Mr. Davie—14. A bill for making a geological and topographical survey of the State.

On motion of Mr. N. Green—15. A bill to fix the salaries of County Judges, and regulate the jurisdiction of the County Courts.

On motion of Mr. Arnold—16. A bill to suppress the practice of carrying concealed weapons.

On motion of Mr. R. H. Campbell—17. A bill to reduce into one the several acts incorporating the Versailles and Midway Turnpike Road Company, and for other purposes.

On motion of same—18. A bill to amend the charter of the Versailles and McCoun's Ferry Turnpike Road Company.

On motion of Mr. Ritter—19. A bill to authorize the several counties to tax themselves for internal improvement purposes.

On motion of Mr. A. H. Talbott—20. A bill to incorporate Lodge No. 158, in Trimble county.

On motion of same—21. A bill to incorporate Division of the Sons of Temperance, No. 159, at Bedford, in Trimble county.

On motion of Mr. Morrow—22. A bill to incorporate the Christian Church, in the town of Paducah.

On motion of Mr. McElroy—23. A bill to limit and define the jurisdiction of the several Circuit Courts.

On motion of Mr. Rogers—24. A bill to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington.

Ordered, That Messrs. A. G. Talbott, T. Todd, Gaither, and Harris, prepare and bring in the 1st and 2d; the committee on the Judiciary the 3d and 23d; Messrs. Payne, Rogers, Mitchell, Preston, McElroy, Wooldridge, Hawkins, Ward, Riley, Brown, Jesup, and J. F. Todd, the 4th; Messrs. McElroy, Wooldridge, Riley, Hord, Payne, and Woodward, the 5th; Messrs. Leslie, Mitchell, Lewis, and Gooch, the 6th; Messrs. N. Green, McElroy, and Kingman, the 7th; Messrs. Gilmore, Ward, and

J. Murphy, the 8th; Messrs. Owsley, Leslie, and Sallee, the 9th; Messrs. Owsley, Ward, and A. G. Talbott, the 10th; Messrs. Hanson, Bradley, Desha, Gaither, Riley, Wooldridge, Logan, and Churchill, the 11th; Messrs. W. M. Green, Gaither, and J. Murphy, the 12th; Messrs. Garrett, Shawhan, and Cook, the 13th; Messrs. Davie, G. W. Williams, of Bourbon, Wooldridge, and McElroy, the 14th; Messrs. N. Green, Preston, and Coleman, the 15th; Messrs. Arnold, Harris, and Owsley, the 16th; Messrs. R. H. Campbell, Wooldridge, Kingman, and W. W. Alexander, the 17th and 18th; Messrs. Ritter, J. F. Todd, and Hawkins, the 19th; Messrs. A. H. Talbott, Rodman, and N. Green, the 20th and 21st; Messrs. Morrow, N. Green, and McElroy, the 22d; and Messrs. Rogers, Harris, and Payne, the 24th.

Mr. T. Todd read and laid on the table, the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the House of Representatives, and two from the Senate, be appointed to visit the Blind Asylum, at Louisville.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read, and concurred in.

Mr. N. Green read and laid on the table, the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three on the part of the House, and two of the Senate, be appointed to visit, and examine the condition of the Deaf and Dumb Asylum, at Danville.

On motion of Mr. Hanson, leave was given to bring in a bill to apportion the representation of the State.

Ordered, That a committee consisting of ten members, one from each Congressional district, be appointed to prepare and bring in the same.

And then the House adjourned.

FRIDAY, NOVEMBER 8, 1850.

Mr. William C. Marshall, the member returned to serve in this House from the county of Bracken, appeared, and having taken the oath required by the constitution, and produced a certificate of his election, took his seat.

1. Mr. McFarland presented the petition of James H. Sublett, praying a change of venue.

2. Mr. Preston presented the petition of William Joshua Barney and Georgianna, his wife, praying an amendment of the act of the last session, passed for their benefit.

Which were received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Williams, of Hancock and Ohio, moved the following resolution, viz:

Resolved, That a committee of five be appointed to report a bill establishing a uniform tariff of fees to be charged by Justices of the Peace, the Clerk of the Court of Appeals, the Clerks of the several Circuit and County Courts, Sheriffs, Jailers, Surveyors, Coroners, and Constables.

Which was adopted.

Whereupon, Messrs. Williams, of Hancock, McFarland, Leslie, Bruner, and Taylor, were appointed the committee in pursuance of said resolution.

Leave was given to bring in the following bills, viz:

On motion of Mr. Heady—1. A bill to repeal the 5th section of the act to amend the charter of the Jefferson and Brownsboro' Turnpike Road Company, approved session of 1849-50.

On motion of Mr. Rowlett—2. A bill to amend the exemption law.

On motion of same—3. A bill the better to secure the money and property of widows and orphans.

On motion of Mr. Graham—4. A bill to charter a Turnpike Road from Elizaville, to intersect the Helena Turnpike at R. Wells'.

On motion of Mr. Phelps—5. A bill to amend the jury laws.

On motion of Mr. Gilmore—6. A bill authorizing the Police Judge of Somerset to grant injunctions, and for other purposes.

On motion of Mr. Gaither—7. A bill further to extend the powers of administrators with the will annexed.

On motion of Mr. Linn—8. A bill to incorporate Lodge No. 150, at Crittenden, in Grant county.

On motion of Mr. Desha—9. A bill for the benefit of John Trimble.

On motion of Mr. Leslie—10. A bill to protect and settle the rules of settling the estates of deceased persons.

On motion of same—11. A bill for the benefit of the Common School Commissioners of Monroe county.

On motion of Mr. Rodman—12. A bill for the benefit of William D. Mitchell.

On motion of Mr. Baker—13. A bill to repeal the 5th section of the act to amend the law in relation to the city of Newport.

On motion of Mr. Woodward—14. A bill for the benefit of William Slusher.

On motion of Mr. Dougherty—15. A bill to run and mark the line between the counties of Pendleton and Campbell.

On motion of Mr. Hawkins—16. A bill for the benefit of Henry G. Mitchell, and others.

On motion of Mr. Baker—17. A bill to amend the execution laws.

On motion of Mr. Woodward—18. A bill to define the county line between Perry and Clay.

On motion of Mr. Gilmore—19. A bill for the benefit of Will. Fox and W. M. Fox, of Pulaski county.

On motion of Mr. R. H. Campbell—20. A bill to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

On motion of Mr. Tompson—21. A bill leaving it to a vote of the people at the next August election, the propriety of an additional tax of three cents on the hundred dollars' worth of property, for Common School purposes.

On motion of Mr. A. H. Talbott—22. A bill further to protect the rights of married women.

On motion of Mr. Silvertooth—23. A bill to abolish the office of Associate Judges of the County Court.

On motion of Mr. Riley—24. A bill to amend the law regulating criminal proceedings in the Courts.

On motion of Mr. Sallee—25. A bill for the benefit of the widow and heirs of James G. Miller, and others.

On motion of Mr. Woodward—26. A bill to change the law concerning roads in Perry and Clay counties.

On motion of Mr. Varnon—27. A bill to amend the charter of the Stanford and Lancaster Turnpike Road Company.

On motion of Mr. Sallee—28. A bill to change the time of holding the regimental musters, and for other purposes.

On motion of Mr. Dulin—29. A bill for a general law for corporations for benevolent purposes.

On motion of Mr. Calvert—30. A bill for the benefit of the Sheriff of Caldwell county.

On motion of Mr. T. Todd—31. A bill to change the time of holding the May term of the Shelby County Court.

On motion of Mr. Preston—32. A bill to regulate advertisements of Sheriff's, and other public sales.

Ordered, That Messrs. Heady, Field, and Rowlett, prepare and bring in the 1st; Messrs. Rowlett, Heady, Gray, and Hampton, the 2d and 3d; Messrs. Graham, Dulin, and Metcalfe, the 4th; the committee on the Judiciary the 5th, 9th, 13th, and 17th; Messrs. Gilmore, G. P. Brown,

and Sallee, the 6th; Messrs. Gaither, Ward, Grundy, Leslie, and Lewis, the 7th; Messrs. Linn, Baker, Williams, of Bourbon, and Harris, the 8th; Messrs. Leslie, Lewis, Grainger, and Mitchell, the 10th; Messrs. Leslie, Gaither, and Mitchell, the 11th; Messrs. Rodman, A. H. Talbott, and Kingman, the 12th; Messrs. Woodward, Brittain, G. P. Brown, Moore, and Cain, the 14th; Messrs. Dougherty, Baker, and Rowlett, the 15th; Messrs. Hawkins, J. F. Todd, and Ritter, the 16th; Messrs. Woodward, Harris, and Mitchell, the 18th; Messrs. Gilmore, Varnon, and Ward, the 19th; Messrs. R. H. Campbell, Metcalfe, and Wooldridge, the 20th; the committee on Education the 21st; Messrs. A. H. Talbott, Preston, and Williams, of Bourbon, the 22d; Messrs. Silvertooth, Calvert, and Mansfield, the 23d; Messrs. Riley, Wells, and Preston, the 24th; Messrs. Sallee, Ward, and Gilmore, the 25th; Messrs. Woodward, Dulin, Terrill, and Mitchell, the 26th; Messrs. Varnon, Metcalfe, and Athey, the 27th; the committee on Military Affairs, the 28th; Messrs. Dulin, Riley, Wooldridge, and McElroy, the 29th; Messrs. Calvert, McElroy, and Silvertooth, the 30th; Messrs. T. Todd, Rodman, and N. Green, the 31st; and Messrs. Preston, Riley, and Logan, the 32d.

Mr. Rodman moved the following preamble and resolutions, viz:

WHEREAS, Patrick H. Blankenship, a member elect of this House from the county of Oldham, for the present Legislature, has departed this life; and whereas, in view of his character and moral worth, the State has lost a valuable citizen, and this House a most excellent member:

Resolved, That in consideration of our regard and esteem for his memory, we will wear crape upon our left arms for thirty days.

Resolved, That we deeply sympathize with the widow of our deceased member and friend, and that a copy of these resolutions be transmitted to her by the member from Oldham.

Which were unanimously adopted.

And then the House adjourned.

SATURDAY, NOVEMBER 9, 1850.

A message was received from the Senate, announcing their concurrence in resolutions from this House of the following titles, viz:

A resolution to appoint a committee to visit the Lunatic Asylum.

A resolution to appoint a committee to visit the Institution of the Blind—with amendments to the last.

That they had passed bills and a resolution of the following titles, viz:

An act to amend the charter of the Springfield, Perryville, and Danville Turnpike Road Company.

An act to amend the charter of the Savings Bank of Covington.

A resolution fixing a day for the election of Commissioners to revise the Statutes, and to prepare a Code of Practice.

The Speaker laid before the House a partial report of the Second Auditor, which is as follows, viz:

REVENUE DEPARTMENT,
Frankfort, Nov. 9, 1850.

Sir: I inclose a partial report from this department.

I am, very respectfully,
THOS. S. PAGE, *2d Auditor.*

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The Speaker laid before the House the annual report of the Keeper of the Penitentiary, which is as follows, viz:

OFFICE KENTUCKY PENITENTIARY,
Frankfort, Nov. 8, 1850.

Sir: In obedience to the 8th section of an act of the General Assembly, prescribing the duties of Keeper of the Penitentiary, approved February 18th, 1848, I herewith submit my annual report of the general condition, business operations, &c., of this institution, since my last annual report.

Very respectfully, your obedient servant,
N. CRAIG,
Agent and Keeper Kentucky Penitentiary.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

[*For Report—See Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of the same, for the use of the General Assembly.

Mr. Grundy, from the committee appointed to revise the rules, made a report in part, which was adopted.

The Speaker laid before the House the annual report of the First Auditor, which is as follows, viz:

AUDITOR'S OFFICE,
Frankfort, November 9, 1850.

Sir: Pursuant to the several acts of Assembly concerning this office,

I have the honor to transmit herewith my report for the fiscal year, ending the 10th of October last.

I have the honor to be, very respectfully, your obedient servant,

GEORGE W. BARBOUR,
Late Auditor.
By JAMES M. GRAY,
Acting Auditor.

To the Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Rodman presented the petition of Johnson Dawkins, praying a modification of the constitution in relation to negroes emancipated, who do not leave the State—which was received, read, and referred to the committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Owsley—1. A bill more effectually to suppress the practice of gambling.

On motion of Mr. Ritter—2. A bill for the benefit of tax payers.

On motion of Mr. Matthewson—3. A bill to associate the Justices of the Peace with the Judge of the County Court at the Court of Claims.

On motion of Mr. Arnold—4. A bill to protect the rights of persons who have stock killed by persons who are insolvent.

On motion of Mr. G. P. Brown—5. A bill to regulate tolls on the Wilderness Turnpike Road.

On motion of Mr. Dulin—6. A bill for the benefit of Elijah H. Looman, of Fleming county.

On motion of Mr. Arnold—7. A bill to guard against the imposition of peddlers from other States, and for other purposes.

On motion of Mr. Dulin—8. A bill for the benefit of W. G. Andrews Looman, a lunatic, of Fleming county.

On motion of Mr. Cook—9. A bill to regulate tippling and tippling houses, and to increase the revenue.

On motion of Mr. Hord—10. A bill for the benefit of Lorenzo Driscum.

On motion of Mr. Purdy—11. A bill for the benefit of William Melbourne, Jailer of Marion county.

On motion of Mr. Baker—12. A bill making an appropriation for a suitable monument, in the cemetery at Frankfort, to the memory of Daniel Boone.

On motion of Mr. Morrow—13. A bill to extend the provisions of the

Mechanics' Lien Law, passed January, 1838, of the town of Paducah, to the county of McCracken.

On motion of Mr. Hawkins—14. A bill to incorporate the Warren County Board of Education.

On motion of Mr. Jesup—15. A bill to exempt all persons over the age of fifty years, from paying poll tax.

On motion of same—16. A bill to amend the laws against tippling, and define the offence.

On motion of Mr. Logan—17. A bill to amend the act entitled, an act limiting actions against sureties, approved February 8, 1838.

On motion of Mr. Mitchell—18. A bill to amend an act entitled, an act to mark definitely the dividing lines between certain counties, approved February 27, 1849.

On motion of Mr. Silvertooth—19. A bill to create the office of Police Judge in Clinton, in Hickman county.

Ordered, That Messrs. Owsley, Williams, of Bourbon, Varnon, and Leslie, prepare and bring in the 1st; the committee on Ways and Means the 2d; the committee on County Courts the 3d; the committee on the Judiciary the 4th, 7th, 15th, 16th, and 17th; Messrs. G. P. Brown, Brittain, Hord, and Harris, the 5th; Messrs. Dulin, Lashbrooke, and Tompson, the 6th; Messrs. Dulin, Lashbrooke, and Metcalfe, the 8th; Messrs. Cook, Williams, of Bourbon, McElroy, and Desha, the 9th; Messrs. Hord, Purdy, and Desha, the 10th; Messrs. Purdy, Hord, and Owens, the 11th; Messrs. Baker, Hord, and Williams, of Bourbon, the 12th; Messrs. Morrow, Desha, and Garrett, the 13th; Messrs. Hawkins, Williams, of Bourbon, and Preston, the 14th; Messrs. Mitchell, Moore, and Terrill, the 18th; and Messrs. Silvertooth, McFarland, and Heady, the 19th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Heady—1. A bill to repeal the 5th section of an act to amend the charter of the Jefferson and Brownsboro' Turnpike Road Company.

By Mr. Gilmore—2. A bill to incorporate Pulaski Lodge, No. 111, Curd Lodge, No. 175, and Somerset Chapter, No. 25.

By Mr. Garrett—3. A bill for the benefit of the soldiers of the late war with England, &c.

By Mr. Silvertooth—4. A bill to abolish the office of Associate Judge.

By Mr. T. Todd—5. A bill to change the May term of the County Court of Shelby county.

By Mr. R. H. Campbell—6. A bill to amend and reduce into one the several acts to incorporate the Versailles and Midway Turnpike Road Company.

By Mr. Leslie—7. A bill for the benefit of the Common School Commissioners of Monroe county.

By Mr. Rodman—8. A bill for the benefit of William D. Mitchell.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th and 8th, were severally ordered to be engrossed and read a third time—the 4th was referred to the committee on the Judiciary; the 6th to the committee on Internal Improvement, and the 7th to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, and 8th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill for the use of the members of the General Assembly.

Bills from the Senate of the following titles, viz:

An act to amend the charter of the Springfield, Perryville, and Danville Turnpike Road Company.

An act to amend the charter of the Savings Bank of Covington.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A resolution from the Senate, fixing a day for the election of Commissioners to revise the Statutes, and prepare a Code of Practice, was taken up, twice read and concurred in.

And then the House adjourned.

MONDAY, NOVEMBER 11, 1850.

A message was received from the Senate, announcing that they had passed bills and a resolution of the following titles, viz:

An act to change the State road from Paducah to Grey's Ferry.

An act for the benefit of the Methodist Episcopal Church, in Woodford county.

An act to provide for running and marking the dividing line between the counties of Adair and Russell.

A resolution to appoint a committee to visit the Deaf and Dumb Asylum, at Danville.

The Speaker appointed Messrs. Hanson, McElroy, Williams, of Hancock, J. F. Todd, Gaither, Purdy, Brittain, Rodman, Rogers, and Baker, the committee to prepare and bring in the bill to apportion the representation of the State.

The Speaker laid before the House a report of the Commissioners to revise, digest, and systematize the civil and criminal statute laws of Kentucky.

Ordered, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Bradley, Cain, R. H. Campbell, Sallee, Harris, Matthewson, and Smith; who are to meet and adjourn from day to day, and take into consideration all Propositions and Grievances which may legally come before them, and all such matters as shall, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records for their information.

Ordered, That a committee on Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Kavanaugh, Beeler, Black, Cook, Phelps, Gooch, and J. Murphy; who are to meet and adjourn from day to day, and take into consideration and examine all returns for members returned to serve in this House during the present session of the General Assembly, and all questions concerning Privileges and Elections, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Claims be appointed: and a committee was appointed, consisting of Messrs. Desha, Baker, Churchill, English, Linn, Wells, and Coleman; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that may from time to time be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Judiciary be appointed: and a committee was appointed, consisting of Messrs. Hanson, Hord, Metcalfe, Lewis, Gaither, Field, and Taylor; who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may from time to time be referred to them,

and report their proceedings, with their opinion thereon, to this House; and said committee are to inspect the Journal of the last session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also, examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon, which of them ought to be renewed and continued; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Religion be appointed: and a committee was appointed, consisting of Messrs. Mansfield, Burgess, Phelps, Dougherty, Hampton, Gray, and Harris; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Ways and Means be appointed: and a committee was appointed, consisting of Messrs. McFarland, N. Green, Bruner, Geiger, Klette, Ritter, and T. Todd; who are to meet and adjourn from day to day, and take into consideration the revenue laws, and all other matters relative to, or connected with, the fiscal concerns of this Commonwealth, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. J. F. Todd, Baker, Grundy, G. P. Brown, Jesup, Gardner, and Davie; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the improvement of the condition of the country by roads and canals, and such others as may legally come before them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Education be appointed: and a committee was appointed, consisting of Messrs. Rogers, Morrow, Gooch, Gaither, W. M. Green, Hawkins, and Dulin; who are to meet and adjourn from day to day, and take into consideration all matters relating to Education, and the subjects connected therewith, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Military Affairs be appointed: and a committee was appointed, consisting of Messrs. Heady, J. M. Alexander, Rowlett, Ward, Gilmore, Shawhan, and Arnold; who are to meet and adjourn from day to day, and take into consideration the Militia Laws of this State, and all other matters in relation to the Militia, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Expenditures of the Board of Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. A. G. Talbott, Grainger, Allen, Leslie, Brittain, Calvert, and Terrill; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the expenditures of money by the Board of Internal Improvement, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Lashbrooke, English, Mansfield, Ritter, Gray, Phelps, and Graham; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Penitentiary, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. G. I. Brown, Grainger, Owen, Landes, Dawson, Owsley, and Tompson; who are to meet and adjourn from day to day, and take into consideration all matters relating to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Sinking Fund be appointed; and a committee was appointed, consisting of Messrs. W. W. Alexander, Mitchell, Moore, Silvertooth, A. H. Talbott, Woodward, and Churchill; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Sinking Fund, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall

have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Banks be appointed: and a committee was appointed, consisting of Messrs. Payne, Wooldridge, W. B. Murphy, Moore, Jesup, and N. Green; who are to meet and adjourn from day to day, and take into consideration all matters in relation to Banks, and examine, within the first thirty days of the session, the condition of all the Banks in the State, the amount of loans in the aggregate, and the proportion to the country, towns, and cities, and the amount loaned to Directors, and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and to enquire into and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Library be appointed: and a committee was appointed, consisting of Messrs. Grundy, Davie, Lewis, Garrett, and Owsley; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Public Library, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Public Offices be appointed: and a committee was appointed, consisting of Messrs. Rodman, T. Todd, Gardner, and Klette; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the Public Offices, examine into and report their condition and situation, with their proceedings and opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Printing be appointed: and a committee was appointed, consisting of Messrs. Hord, Purdy, W. M. Green, Allen, and Coleman; whose duty it shall be to enquire into the manner in which the Public Printing is done, the accounts for printing particularly, and such other matters as may, from time to time, be referred to them by either House, and report as soon as practicable, what saving and improvement can be made conducive to the public interest; and they shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Federal Relations be appointed: and a committee was appointed, consisting of Messrs. Ward, R. M. Johnson,

Linn, Hays, Desha, Hawkins, and Bruner; who are to meet and adjourn from day to day, and take into consideration all matters relating to Federal Relations, and such others as may, from time to time, be referred to them; and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Court of Appeals be appointed: and a committee was appointed, consisting of Messrs. Williams, of Bourbon, McFarland, Payne, J. F. Todd, and Kavanaugh; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Court of Appeals, and such others as may be, from time to time, referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Circuit Courts be appointed: and a committee was appointed, consisting of Messrs. McElroy, Rodman, Kingman, Varnon, and Morrow; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Circuit Courts, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on County Courts be appointed: and a committee was appointed, consisting of Messrs. Marshall, Williams, of Hancock, Gilmore, Dulin, and Silvertooth; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the County Courts, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Report of the Commissioners to revise the Statutes be appointed: and a committee was appointed, consisting of Messrs. Riley, Purdy, Athey, Hays, and Rogers; who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the revision of the Statutes, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on the Code of Practice be appointed: and a committee was appointed, consisting of Messrs. Preston, Logan, McElroy, Wooldridge, and Metcalfe; who are to meet and adjourn from

day to day, and take into consideration all matters relating to or connected with the Code of Practice, and such others as may, from time to time be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs. Field, R. H. Campbell, Varnon, Bradley, Taylor, and Leslie.

Ordered, That Mr. Field inform the Senate thereof.

Mr. McElroy presented the petition of William Harman, praying compensation for conveying a lunatic to the Asylum, which was received, the reading dispensed with, and referred to the committee on Claims.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. A. G. Talbott—1. A bill to prevent slaves hereafter emancipated from remaining in this State.

By same—2. A bill concerning free negroes and mulattoes.

By Mr. Mitchell—3. A bill to amend the act entitled, an act to mark definitely the dividing lines between certain counties, approved February 27, 1849.

By Mr. Morrow—4. A bill to incorporate the Christian Church in the town of Paducah.

By Mr. Linn—5. A bill to incorporate Crittenden Lodge, No. 150.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first was referred to the committee on the Judiciary; the second to a committee of the whole House, and made the special order of the day for Wednesday, the 20th instant, and the 3d, 4th, and 5th, were severally ordered to be engrossed, and read a third time.

The rule of the House, constitutional provision, and third reading of the 3d, 4th, and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st and 2d bills for the use of the members of the General Assembly.

Mr. A. G. Talbott read and laid on the table the following preamble and resolutions, viz:

Whereas, the harmonious action of these United States has been greatly disturbed, and our glorious American Union strongly threatened with dissolution, by measures proposed and urged by the ultra politicians of the North, and the ultra politicians of the South, growing out of the

great questions of slavery and the admission of the newly acquired territory into the Union as States: and whereas, we believe that slavery is purely a State institution, sanctioned and protected by the Constitution of the United States, and one which Congress has no right to abolish, without consent and without compensation: and whereas, we believe that any effort to abolish slavery in the States, without such consent and compensation, would lead to disunion, certain, inevitable, and irremediable: and whereas, we further believe that a dissolution of this Union, as it now exists, would not only be highly detrimental and prejudicial to the best interests of any one portion of our people, but would necessarily and certainly eventuate in the ruin of the North and the South, in the destruction of the East and West, and in death to us all; and break up and destroy, perhaps forever, the only government upon the great globe, which affords an ample and sure asylum for the oppressed of all the earth; where every free man can pursue his own happiness in his own way; where the white man and the black man, the bond man and the free man, the high and the low, the rich and the poor, worship Almighty God according to the dictates of their own consciences, under thair own vine and fig tree, and none dare molest or make them afraid. Therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, To secure peace and tranquility in the States, stability and permanency to the Union, and to our own people, and to the world the inestimable blessings flowing from our free institutions, we accept and approve the compromise upon the great questions at issue, lately achieved by our distinguished fellow citizen, Henry Clay, and his patriotic compeers, and we pledge ourselves as patriots and as members of the American Union, to stand by and support the President of the United States in the faithful execution of the laws, and the maintenance of the Compromise, the Constitution, and the Union.

2. *Resolved, further*, That we approve and will, when the crisis arrives, stand by and maintain the principles contained in the two sections of the bill of rights in the present excellent Constitution of our State, declaring that the right of property is before and higher than all constitutional sanction, and the right of the owner of a slave to such slave and its increase, is the same and as inviolable as the right of the owner of any property whatever—and that absolute, arbitrary power over the lives, the liberty, and the property of freemen, exists nowhere in a Republic, not even in the largest majority.

3. *Resolved, further*, That if the ultras of the North, as their late meetings and movements indicate, unwilling to approve and accept, should disregard and reject the principles and provisions of the Compromise, which secure the rights and honor of all, and under the name of abolitionists, free soilers, or emancipationists, should attempt to abolish slavery in the Southern States, without consent and without compensation, should the government, though willing, be too weak to protect us, we pledge ourselves, in such an event, to defend to the death, with our property, our lives, Southern rights and Southern property, against all such Northern aggression and Northern usurpation.

4. *Resolved, further*, That we believe the crisis has arrived when, as we believe, the only question that ever could or ever would destroy our happy Union, should be forever settled, and our mighty Republic fixed on a

basis and cemented by a bond of principle, such as to afford a sure guarantee that our free institutions would be perpetuated.

5. *Resolved, therefore*, In view of all the circumstances, that whenever a majority of the people of all the States of this Union, both slaveholding and free, fully and fairly ascertained, shall declare slavery to be a great national and political evil, and detrimental to the best interests of the government, and shall be willing to unite with all, (slave States included,) in their purchase, liberation, and removal, without and beyond the limits of this government, to any colony to be purchased or otherwise obtained for the purpose, either by direct tax or private subscription, in proportion to their taxable property, (slaves included,) we pledge ourselves to be willing; but we never should, we never can, we never will see them taken without our consent, and without compensation.

6. *Resolved, further*, That in the adjustment of all great national questions, we know no North, no South, no East, no West; we are for the Constitution and laws, as framed by our forefathers, and preserved and handed down by our patriotic sires—we are for the Union, the whole Union, and the Union as it is.

Ordered, That the Public Printer forthwith print 150 copies of the same, for the use of the General Assembly.

Mr. Hord read and laid on the table the following resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the committee on the Library be instructed to enquire into the present condition of the State Library, and report to the General Assembly whether or not there be in office at this time, a State Librarian; and that said committee report what action, if any, they may deem necessary in the premises.

The rule of the House requiring joint rseolutions to lie one day on the table, having been dispensed with, the said resolution was twice read and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Jesup—1. A bill to provide for a homestead exemption law, and for other purposes.

On motion of Mr. Silvertooth—2. A bill to authorize the taking of appeals and prosecuting writs of error in criminal and penal cases.

On motion of Mr. Calvert—3. A bill to amend the law respecting the sales of the real estate of infants.

On motion of Mr. Hays—4. A bill to provide for the holding of Circuit Courts under certain circumstances.

On motion of Mr. Baker—5. A bill to increase the terms of the Campbell County Court.

On moton of Mr. Owsley—6. A bill for the benefit of the Sheriff of Cumberland county.

On motion of Mr. Hays—7. A bill for the benefit of Samuel Haycraft, Clerk of the Hardin Circuit and County Courts.

On motion of Mr. A. G. Talbott—8. A bill to suppress the practice of duelling.

On motion of Mr. Rowlett—9. A bill to add the public ground at Lock No. 3, on Kentucky river, to the county of Owen.

On motion of Mr. Ward—10. A bill to give to the Circuit Courts power to grant changes of venue in criminal and penal prosecutions.

On motion of Mr. Rogers—11. A bill for the benefit of Alexander McDaniel.

On motion of Mr. Rodman—12. A bill to change the time of holding the April and October terms of the Oldham County Court.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 3d, 4th, and 10th; Messrs. Silvertooth, Rogers, and Metcalfe, the 2d; the committee on County Courts the 5th; Messrs. Owsley, Ward, and Sallee, the 6th; Messrs. Hays, English, and Ward, the 7th; Messrs. A. G. Talbott, Williams, of Bourbon, Owsley, and Varnon, the 8th; Messrs. Rowlett, N. Green, Gray, and Graham, the 9th; Messrs. Rogers, Dulin, and Terrill, the 11th; and Messrs. Rodman, Kingman, and Dulin, the 12th.

And then the House adjourned.

TUESDAY, NOVEMBER 12, 1850.

1. Mr. Garrett presented the petition of David Howell and others, praying compensation for apprehending and bringing to justice Henry Newsom, charged with murder.

2. Also, the petition of David Cleck, praying that the erection of his mill on Beaver creek may be legalized.

3. Also, the petition of John Martin, praying that the erection of his mill on Beaver creek may be legalized.

4. Also, the petition of John Thompson and others, praying that he be released from building a slope to his mill dam on John's creek.

5. Mr. Morrow presented the petition of Francis Hillary and others, praying that he may inherit the estate of his deceased brother, who was an alien.

6. Mr. Linn presented the petition of Edward McLure and sundry

citizens of Grant county, praying that said McLure may be permitted to peddle goods without license.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d, 3d, and 4th, to the committee on Propositions and Grievances; the 5th to the committee on the Judiciary, and the 6th to the committee on Ways and Means.

On motion of Mr. J. F. Todd,

Ordered, That he be excused from serving on the committee of Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Dulin—1. A bill for the benefit of Elijah H. Looman, of Fleming county.

By same—2. A bill for the benefit of W. G. Andrews Looman, a lunatic, of Fleming county.

By Mr. R. H. Campbell—3. A bill to amend the charter of the Versailles and McCoun's Ferry Turnpike Company.

By Mr. Morrow—4. A bill for the benefit of the mechanics of McCracken county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, and 4th, were severally ordered to be engrossed and read a third time, and the 2d was referred to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, and 4th bills having been dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Williams, of Bourbon,

Resolved, That Joseph Gray, Sargeant-at-Arms, be permitted to avail himself of the services of Ben. Hardin, Jr. in the discharge of his official duties.

On motion of Mr. Athey,

Ordered, That the report of the Commissioners to revise, digest, and systematize the civil and criminal statute laws of Kentucky, be referred to the committee on the revision of the Statutes.

Leave was asked by Mr. W. M. Green to bring in a bill to reduce the number of Judges of the Court of Appeals from four to three.

And the question being taken on granting the leave, it was decided in the negative.

Leave was given to bring in the following bills, viz:

On motion of Mr. W. W. Alexander—1. A bill to repeal the law allowing $40 to Clerks and Sheriffs for *ex officio* services.

On motion of Mr. Athey—2. A bill to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

On motion of Mr. Williams, of Hancock—3. A bill to authorize the Clerk of the Ohio County Court to transcribe and index certain records in his office.

On motion of Mr. Dulin—4. A bill for the protection of the bridge across Triplett creek in Fleming county, on the Owingsville and Big Sandy Turnpike Road.

On motion of Mr. Hays—5. A bill to repeal the law creating Master Commissioners.

On motion of Mr. Klette—6. A bill for the benefit of School District No. 8, in Kenton county.

On motion of Mr. Burgess—7. A bill to incorporate the Louisa, Paintsville, Prestonburg, and Pikeville Turnpike Road Company.

On motion of Mr. Hays—8. A bill more fully to define the duties of County Attorneys, and to fix their salaries.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 5th, and 8th; Messrs. Dulin, Hampton, Graham, and Burgess, the 4th; the committee on Claims the 6th, and Messrs. Burgess, Metcalfe, and Garrett, the 7th.

Mr. Leslie moved the following resolutions, viz:

Resolved, That a committee of seven be appointed, whose duty it shall be to prepare and bring in a bill providing for the election of all the officers under the constitution of Kentucky.

Resolved, That said committee prepare and bring in a bill providing for laying off the several counties of this State in convenient Justices districts.

Which were adopted.

Whereupon, Messrs. Leslie, Hanson, Morrow, Logan, R. H. Campbell, Brittain, and Klette, were appointed the committee in pursuance of said resolutions.

The amendments proposed by the Senate to a resolution from the House to appoint a committee to visit the Institution of the Blind, were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

An act to change the State road from Paducah to Grey's Ferry.

An act for the benefit of the Methodist Episcopal Church in Woodford county.

An act to provide for running and marking the dividing line between the counties of Adair and Russell.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A resolution from the Senate, to appoint a committee to visit the Deaf and Dumb Asylum, at Danville, was taken up, twice read, and concurred in.

The House then took up for consideration the preamble and resolutions read and laid on the table on yesterday by Mr. A. G. Talbott.

On motion of Mr. Desha,

Ordered, That said preamble and resolutions be referred to the committee on Federal Relations.

And then the House adjourned.

WEDNESDAY, NOVEMBER 13, 1850.

A message was received from the Senate, announcing the passage of bills from this House, and a resolution of the following titles, viz:

An act to change the May term of the County Court of Shelby county.

An act for the benefit of William D. Mitchell.

An act to incorporate the Christian Church in the town of Paducah.

A resolution to instruct the committee on the Library to inquire whether or not there be a State Librarian.

The Speaker appointed Mr. A. G. Talbott on the committee of Internal Improvement, in the place of Mr. J. F. Todd, excused.

1. Mr. Gaither presented the petition of sundry citizens of Adair county, praying that the County Court of Adair may make an allowance for the support of Nancy King.

2. Also, the petition of Thomas Gressom and sundry citizens of Adair county, praying that said Gressom may be permitted to retail liquors without license.

3. Mr. Shawhan presented the petition of sundry citizens of Harrison

county, praying the repeal of the act to prevent fishing without license in a portion of South Licking.

4. Also, the petition of the citizens of the town of Cynthiana, praying the repeal of an act reducing into one the several acts concerning said town.

5. Mr. Cook presented the petition of sundry citizens of Graves county, praying that M. W. Johnson be permitted to retail liquors without license.

6. Mr. Woodward presented the petition of sundry citizens praying that William Slusher be permitted to build a dam across the middle fork of the Kentucky river.

7. Mr Woodward presented the petition of sundry citizens of Clay and Perry counties, in relation to a road on the middle fork of the Kentucky river.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d and 5th to the committee on Ways and Means; the 3d and 4th to the committee on Propositions and Grievances; the 6th to the committee on Internal Improvement, and the 7th to the committee on the Judiciary.

Mr. Desha, from the committee on Claims, to whom was referred a bill for the benefit of the Common School Commissioners of Monroe county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. R. H. Campbell—1. A bill to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

By Mr. Graham—2. A bill to incorporate the Elizaville and Helena Turnpike Road Company.

By Mr. Cook—3. A bill to regulate tippling houses, and to increase the revenue.

By Mr. N. Green—4. A bill to amend the Common School Law.

By Mr. Owsley—5. A bill to incorporate Cumberland Lodge, No. 149.

By Mr. Woodward—6. A bill for the benefit of William Slusher.

By same—7. A bill to define the line of Clay and Perry counties.

By same—8. A bill to change the law concerning a road in Perry and Clay counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, and 5th bills were severally ordered to be engrossed, and read a third time; the 3d was referred to the committee on Ways and Means; the 4th to the committee on Education; the 6th to the committee on Internal Improvement, and the 7th and 8th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 5th bills, having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill for the use of the members of the General Assembly.

Mr. Wooldridge moved the following resolutions, viz:

Resolved, That so much of the constitution as refers to the Court of Appeals, be referred to the committee on the Court of Appeals.

That so much of the constitution as refers to Circuit Courts, be referred to the committee on Circuit Courts.

That so much as refers to County Courts, be referred to the committee on County Courts.

That so much thereof as refers to the revision and arrangement of the statute laws of this Commonwealth, be referred to the committee on Revised Statutes.

That so much as refers to the preparation of a Code of Practice, be referred to the committee on Code of Practice.

That so much thereof as refers to the election of all the officers in the Commonwealth, be referred to the committee on Privileges and Elections.

That said committees be instructed to report thereon as soon as practicable.

Which was adopted.

Mr. Wooldridge moved the following resolution, viz:

Resolved, That the committee on the Code of Practice be instructed to prepare and report to this House a code of penal and criminal law.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Williams, of Bourbon—1. A bill to amend the act to incorporate the Newtown and Leesburg Turnpike Road Company.

On motion of Mr. Logan—2. A bill to amend section 36 of the act entitled, an act to amend an act entitled, an act to amend the penal laws.

On motion of Mr. Phelps—3. A bill to run and mark the line between Butler and Edmonson counties.

On motion of Mr. Dawson—4. A bill to regulate the fees paid for collecting the revenue.

On motion of Mr. Garrett—5. A bill the better to define the lines of certain counties.

On motion of Mr. Woodward—6. A bill to change the lines of Perry and Clay.

On motion of Mr. Leslie—7. A bill to provide for the appointment and incorporation of the Trustees of the United Baptist Church, in Tompkinsville, in Monroe county.

On motion of Mr. Hanson—8. A bill for the benefit of the 36th regiment Kentucky Militia.

Ordered, That Messrs. Williams, of Bourbon, W. W. Alexander, and Rodman, prepare and bring in the 1st; the committee on Religion the 2d; Messrs. Phelps, Rowlett, and Gray, the 3d; Messrs. Dawson, Mansfield, and Bradley, the 4th; Messrs. Garrett, Burgess, and Morrow, the 5th; Messrs. Woodward, Brittain, and Black, the 6th; Messrs. Leslie, Lewis, and Gaither, the 7th, and the commitee on Military Affairs, the 8th.

And then the House adjourned.

THURSDAY, NOVEMBER 14, 1850.

A message was received from the Senate, announcing the passage of a bill from this House entitled, an act for the benefit of the mechanics of McCracken county.

Mr. Field, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions of the following titles, which originated in the Senate, and had found the same truly enrolled, viz:

An act to amend the charter of the Springfield, Perryville, and Danville Turnpike Road Company.

An act to amend the charter of the Savings Bank of Covington.

An act to change the State road from Paducah to Grey's Ferry.

An act for the benefit of the Methodist Episcopal Church in Woodford county.

An act to provide for running and marking the dividing line between the counties of Adair and Russell.

A resolution fixing a day for the election of Commissioners to revise the Statutes, and to prepare a Code of Practice.

A resolution to appoint a committee to visit the Deaf and Dumb Asylum, at Danville.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of Johnson Dawkins, asked to be discharged from the further consideration of the same, which was granted.

Mr. Bradley, from the same committee, to whom was referred the petition of John Martin, asked leave to be discharged from the further consideration of the same, which was granted.

Mr. Garrett asked leave to withdraw said petition, which was granted, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same:

By the committee on Propositions and Grievances—1. A bill for the benefit of David Click, of Floyd county.

By Mr. Williams, of Bourbon—2. A bill to authorize the Bourbon County Court to subscribe stock in the Newtown and Leesburg Turnpike Road Company.

By Mr. Dougherty—3. A bill to run and re-mark the dividing line between the counties of Campbell and Pendleton.

By Mr. Phelps—4. A bill to run and re-mark the dividing line between the counties of Butler and Edmonson.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Payne moved the following resolutions, viz:

Whereas, it is known that the Hon. Henry Clay is now in this city on a visit. Therefore,

Resolved, That a committee of seven be appointed to invite him to visit the General Assembly to-morrow at 12 o'clock.

Resolved, That the Speaker of this House be appointed its organ to express to him the high appreciation they have of his efforts as their representative in the hall of the national councils, and the deep sense of obligation they feel to him and the entire delegation from Kentucky, and the distinguished patriots Cass, Webster, Foote, and others, for their able and efficient efforts in the passage of measures, which, under divine

blessing, we hope may entirely stop the tide of dissatisfaction, allay the agitation in the country, and bind more closely together our happy confederacy.

Resolved, That the Clerk communicate these resolutions to the Senate, and request that they will unite with this House in the Representative Hall on that occasion.

Which were unanimously adopted.

Whereupon, Messrs. Payne, Rogers, Williams, of Bourbon, McElroy, J. F. Todd, Desha, and A. G. Talbott, were appointed said committee.

Mr. Desha moved the following resolution, viz:

Resolved, That the committee on Ways and Means inquire into the expediency of repealing the act taxing specifically, carriages, buggies, watches, pianos, &c., and provide for taxing said articles *ad valorem*.

Which was adopted.

Mr. T. Todd moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to inquire into the expediency of licensing billiard tables.

Which was adopted.

On motion of Mr. Logan,

Ordered, That the committee on the contested election from the county of Garrard, be permitted to sit during the session of the House.

Leave was given to bring in the following bills, viz:

On motion of Mr. Rodman—1. A bill for the benefit of Thornton Triplett.

On motion of Mr. Garrett—2. A bill for the benefit of John Martin, of Floyd county.

On motion of Mr. Gooch—3. A bill to condense and reduce into one the various acts on the subject of Common Schools, and also to provide for certain changes and modifications in said laws.

On motion of Mr. Varnon—4. A bill to amend an act granting a charter for a Railroad from Danville to Lexington.

On motion of Mr. Williams, of Bourbon—5. A bill to provide for the infliction of capital punishment in private.

Ordered, That Messrs. Rodman, Williams, of Bourbon, and Kingman, prepare and bring in the 1st; Messrs. Garrett, Brittain, and Black, the 2d; the committee on Education the 3d; Messrs. Varnon, Desha, Williams, of Bourbon, and Dulin, the 4th, and the committee on the Judiciary the 5th.

A message was received from the Senate by Mr. Pope, announcing their acceptance of the invitation of the House, in accordance with the resolutions moved by Mr. Payne on this day.

And then the House adjourned.

FRIDAY, NOVEMBER 15, 1850.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to repeal the 5th section of an act to amend the charter of the Jefferson and Brownsboro' Turnpike Road Company.

An act to amend the act, entitled, an act to mark definitely the dividing lines between certain counties, approved February 27, 1849.

An act to amend the charter of the Versailles and McCoun's Ferry Turnpike Road.

That they had adopted resolutions of the following titles, viz:

A resolution authorizing the purchase of 150 copies of a Lithographic skeleton map of the State of Kentucky.

A resolution to postpone the day for the election of Commissioners to revise the Statutes, and simplify the rules of Practice.

Mr. Payne, from the committee appointed to wait on the Hon. Henry Clay, made the following report, viz:

The committee appointed to wait on the Hon. Henry Clay, and invite him to visit the Legislature on this day, at 12 o'clock, report:

That they had performed that duty, and that Mr. Clay responded that it would afford him great pleasure, and that at the hour designated he would visit the Legislature in the Hall of Representatives.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of John Thompson, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Desha, from the committee on Claims, to whom was referred the petition of Nancy King, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the committee on the Judiciary, to whom was referred leave to bring in a bill more fully to define the duties of County Attorneys and to fix their salaries, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on County Courts prepare and bring in the same.

Mr. Hanson, from the same committee, to whom was referred leave to bring in a bill to exempt all persons who have arrived to the age of

fifty years, from paying poll tax, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred leave to bring in the following bills, viz:

A bill to provide for the holding of Circuit Courts under certain circumstances.

A bill to limit and define the jurisdiction of the several Circuit Courts.

A bill to give to the Circuit Courts power to grant changes of venue in criminal and penal prosecutions.

Asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on Circuit Courts prepare and bring in the same.

Mr. Hanson, from the same committee, to whom was referred the petion of James Sublett, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hanson, from the same committee, to whom was referred bills of the following titles, viz:

A bill to define the lines of Clay and Perry counties.

A bill to change the law concerning a road in Perry and Clay counties.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to repeal an act to prevent unlawful fishing in parts of Licking river.

By the committee on the Judiciary—2. A bill to authorize the Clerk of the Ohio County Court to transcribe and index certain records in his office.

By same—3. A bill to repeal the 5th section of the act to amend the laws in relation to the city of Newport, approved March 6th, 1850.

By Mr. Varnon—4. A bill to amend an act, entitled, an act to incorporate the Lexington and Danville Railroad Company.

By Mr. Dawson—5. A bill to regulate the compensation to collectors of the revenue.

By Mr. Garrett—6. A bill for the benefit of John Martin, of Floyd county.

By Mr. Rodman—7. A bill for the benefit of Thornton Triplett.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, and 7th, were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Morrow moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so changing the law in relation to civil proceedings in the Circuit Courts, as to prevent any person holding a note for the payment of money or property, to institute suit on the same by filing such note with the Clerk of the Circuit Court; and that they report by bill or otherwise.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ward—1. A bill to place that part of the Salt river road in the county of Warren, under the jurisdiction of the Warren County Court.

On motion of Mr. Athey—2. A bill concerning the landing and weighing of salt boated down the Kentucky river.

On motion of Mr. Lewis—3. A bill to regulate the jurisdiction and to provide for and fix the compensation of the Presiding Judges of County Courts.

On motion of Mr. Rogers—4. A bill to incorporate the Maxwell Spring Company, at Lexington.

Ordered, That Messrs. Ward, Hawkins, and J. F. Todd, prepare and bring in the 1st; the committee on Agriculture and Manufactures the 2d; the committee on the Judiciary the 3d, and Messrs. Rogers, N. Green, and Davie, the 4th.

Resolutions from the Senate of the following titles, viz:

A resolution authorizing the purchase of one hundred and fifty copies of a Lithographic skeleton map of the State of Kentucky.

A resolution to postpone the day for the election of Commissioners to revise the Statutes, and simplify the rules of Practice.

Were taken up, twice read, and concurred in.

At 12 o'clock, the Hon. H. Clay was introduced into the Hall of the House of Representatives by the committee of invitation, and received by the Speaker with a short address, after which he addressed the members of the Senate and House of Representatives.

Whereupon, Mr. Davie moved the following resolution, viz:

Resolved, That the committee of invitation be hereby instructed to call on the Hon. Henry Clay, and request a copy of his speech delivered before the General Assembly this day for publication; and that two thousand copies of the same be published for the use of the General Assembly.

Which was unanimously adopted.

And then the House adjourned.

SATURDAY, NOVEMBER 16, 1850.

A message was received from the Senate, announcing the passage of a bill from this House entitled, an act to authorize the Bourbon County Court to subscribe for stock in the Newtown and Leesburg Turnpike Road Company.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to amend the act to establish a Female Academy in the town of Harrodsburg, approved January 28, 1848.

An act to amend the various acts in relation to Turnpike Roads in the counties of Washington and Marion.

1. Mr. Burgess presented the petition of sundry citizens of Lawrence county, praying an appropriation to clean out the obstructions in Big Blain.

2. Mr. N. Green presented the petition of sundry citizens of Henry county, praying the establishment of an election precinct in said county, at the house of Edward Turner.

3. Mr. Davie presented the petition of A. Webber, and others of Christian county, praying that Little river be made the western boundarn of the town of Hopkinsville.

4. Also, the petition of Isaac Landes, and others of Christian county, praying a redress of the grievances under which they labor, by being added to the town of Hopkinsville without their consent.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Privileges and Elections, and the 3d and 4th to the committee on Propositions and Grievances.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill for the relief of Francis Hillary.

By Mr. Rowlett—2. A bill to amend the law exempting certain property from execution.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first was ordered to be engrossed and read a third time, and the second was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the first bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wooldridge read and laid on the table the following preamble and resolution, viz:

Inasmuch as the assessment of the qualified voters of this Commonwealth, taken during the present year, was made without authority of law, and is, as is perfectly apparent, very imperfect and incomplete: and whereas, it is desirable that the apportionment of representation shall be made upon returns of the number of qualified voters, approximating as nearly as possible to correctness. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the committees appointed by the Senate and House of Representatives, and charged with the apportionment of representation, be directed to apply, through their chairmen, to the Marshal of the State of Kentucky, and if practicable, to obtain from him a certified statement of the number of qualified voters in the several counties of the State, as reported to his office, and that the return of the Marshal, when thus made, shall be the basis of the future action of the committees.

Mr. W. M. Green moved a reconsideration of the vote passing a bill to amend an act, entitled, an act to incorporate the Lexington and Danville Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Grainger—1. A bill to incorporate Boone Lodge, No. 1, Independent Order of Odd Fellows.

On motion of Mr. Klette—2. A bill to repeal the act to amend the charter of the Covington and Lexington Railroad Company, approved 4th March, 1850; also, the act supplemental to said act, approved 6th March, 1850.

On motion of Mr. Jesup—3. A bill for the benefit of School District No. 3, in Todd county.

On motion of Mr. Kavanaugh—4. A bill changing the limits of the town of Lawrenceburg.

On motion of Mr. T. Todd—5. A bill to incorporate a Railroad Company from Shelbyville to Eminence, in Henry county.

On motion of Mr. Mitchell—6. A bill for the benefit of the Presbyterian Church in Mountsterling.

Ordered, That the committee on the Judiciary prepare and bring in the 1st; Messrs. Klette, McElroy, Linn, and Baker, the 2d; Messrs. Jesup, McElroy, and Purdy, the 3d; Messrs. Kavanaugh, Grundy, and J. M. Alexander, the 4th; the committee on Internal Improvement the 5th, and Messrs. Mitchell, Leslie, and Bruner, the 6th.

Mr. Smith moved the following resolution, viz:

Resolved, That in view of the duties devolving on this House, and with the view to a speedy organization of the government under the new constitution, that this House will not act on any measure not necessary to effect that object, until the government is put into complete operation, as provided for in the new constitution.

And the question being taken on adopting the same, it was decided in the negative.

Bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to amend the act to establish a Female Academy in the town of Harrodsburg, approved January 28, 1848.

An act to amend the various acts in relation to Turnpike Roads in the counties of Washington and Marion.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, NOVEMBER 18, 1850.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act to incorporate Crittenden Lodge, No. 150.

An act to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

An act for the benefit of David Click, of Floyd county.

An act for the benefit of Thornton Triplett.

An act to incorporate Pulaski Lodge, No. 111; Curd Lodge, No. 175, and Somerset Chapter, No. 25.

With amendments to the last named bill.

1. Mr. Williams, of Bourbon, presented the petition of Denton Offutt, praying that an appropriation be made to disclose and teach the art of taming domestic animals.

2. Mr. Lashbrooke presented the petition of sundry citizens of Washington, in Mason county, praying that certain streets and alleys in said town, now inclosed, may be sold, and the proceeds applied to the improvement of the town.

3. Mr Landes presented the petition of sundry citizens of Trigg county, praying a repeal of the act allowing James Cunningham power to erect a mill dam on Little river, in said county.

4. Mr. Payne presented the petition of John Taylor Crook, praying permission to hold real estate in Kentucky.

5. Mr. Matthewson presented the petition of William H. Curd, Joel H. Curd, and Edward Curd, praying that Edward Curd, a minor, may be declared of full age, and capable of managing his estate.

6. Mr. Phelps presented the petition of Hayten Lindsay, and sundry other citizens of Edmonson county, praying the passage of a law authorizing the said Lindsay to build a mill on Nolin.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Agriculture and Manufactures; the 2d, 4th, and 5th, to the committee on the Judiciary, and the 3d and 6th to the committee on Propositions and Grievances.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to repeal the 5th section of an act to amend the charter of the Jefferson and Brownsboro' Turnpike Road Company.

An act to change the May term of the County Court of Shelby county.

An act for the benefit of William D. Mitchell.

An act to amend the act, entitled, an act to mark definitely the dividing lines between certain counties, approved February 27th, 1849.

An act to incorporate the Christian Church in the town of Paducah.

An act to amend the charter of the Versailles and McCoun's Ferry Turnpike Road Company.

An act for the benefit of the mechanics of McCracken county.

An act to authorize the Bourbon County Court to subscribe for stock in the Newtown and Leesburg Turnpike Road Company.

A resolution to instruct the committee on the Library to inquire whether or not there be a State Librarian.

A resolution to appoint a committee to visit the Lunatic Asylum.

A resolution to appoint a committee to visit the Instiution of the Blind, and Marine Hospital.

And resolutions from the Senate of the following titles, viz:

A resolution to postpone the day for the election of Commissioners to revise the Statutes, and simplify the rules of Practice.

A resolution authorizing the purchase of 150 copies of a Lithographic skeleton map of the State of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to incorporate Boone Lodge No. 1, Independent Order of Odd Fellows.

By Mr. Rogers—2. A bill to incorporate the Maxwell Spring Company, at Lexington.

By same—3. A bill to incorporate the Kentucky Agricultural and Mechanical Association at Lexington.

By same—4. A bill for the benefit of Alexander McDaniel.

By Mr. Garrett—5. A bill better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson.

By Mr. Hays—6. A bill for the benefit of Samuel Haycraft.

By Mr. Ritter—7. A bill to authorize the several counties to tax themselves for internal improvement purposes.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, and 6th, were

severally ordered to be engrossed, and read a third time; the 4th was referred to the committee on Ways and Means, and the 7th to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th and 6th bills, having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. N. Green, from the committee appointed to prepare and bring in the same, reported a bill to fix the salaries of County Judges, and regulate the jurisdiction of the County Courts, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. N. Green moved to refer said bill to the committee on County Courts.

Mr. McElroy moved the following instructions to said committee, viz:

That they inquire into the expediency of reporting a bill as a substitute for the original bill, transferring jurisdiction to said Court of all causes now cognizable in the Circuit Court, except Chancery causes, criminal causes, and land cases, where the boundary or title of land shall be involved.

Mr. Dulin moved to amend the instructions by adding the following proviso, viz:

That the said instructions shall not be binding on said committee, unless said committee shall also report a bill to abolish the office of Assistant Judges, established by the constitution.

And the question being taken on adopting said amendment, it was decided in the affirmatime.

The question was then taken on referring said bill, with the instructions, to the committee on County Courts, and it was decided in the affirmative.

Mr. Leslie, from the committee appointed to prepare and bring in the same, reported a bill providing for laying off the several counties of this State into Justices' districts, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. McFarland moved to refer said bill to the committee on County Courts.

Mr. Bradley moved the following instructions to said committee, viz:

To strike out so much of the bill as authorizes the County Courts to appoint Commissioners, or lay off districts.

Mr. N. Green moved to amend said instructions by adding the following, viz:

And that said committee report to this House the names of suitable Commissioners to district said counties.

And the question being taken thereon, it was decided in the affirmative.

Mr. G. I. Brown moved further to amend said instructions by adding the following, viz:

That said committee designate the number of districts in each county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on referring said bill, with the instructions, to the committee on County Courts, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
James B. Allen,
John B. Arnold,
R. Tarvin Baker,
William Beeler,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
Wm. M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Christopher C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
James T. Woodward,
Edmund Wooldridge—79.

Those who voted in the negative, were

Edward F. Dulin,
John G. Gooch,
William M. Green,
Preston H. Leslie,
Joseph H. Lewis,
William B. Murphy,
Joel Owsley,
G. W. Williams, of H—8.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
November 15, 1850.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

Sir: The returns from the different turnpike roads in which the State holds an interest and from the Green and Barren river line of navigation, necessary for a full report from this office, will not be received until in the month of December. Hence the impracticability of making the annual report earlier than the first week in January, which in fact is the end of the regular term for reports from this office, and has been the usual time for the report.

In the meantime, any information from this office, when desired by committees or individual members, will be furnished with promptness and pleasure.

I have the honor to be, with much respect your ob't serv't,
J. SPEED SMITH,
President Board Internal Improvement.

And then the House adjourned.

TUESDAY, NOVEMBER 19, 1850.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of Elijah H. Looman, of Fleming county.

That they had passed a bill, entitled, an act to incorporate the Mitchellsville and Dry Creek Plank Road Company.

And had received official information from the Governor, that he had approved and signed sundry enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to provide for running and marking the dividing line between the counties of Adair and Russell.

An act to amend the charter of the Savings Bank of Covington.

An act to amend the charter of the Springfield, Perryville, and Danville Turnpike Road Company.

An act to change the State road from Paducah to Grey's Ferry.

An act for the benefit of the Methodist Episcopal Church in Woodford county.

A resolution to appoint a committee to visit the Deaf and Dumb Asylum, at Danville. Approved November 18, 1850.

Mr. Desha moved the following resolutions, viz :

1. *Resolved*, That this House has heard with deep regret of the death of Richard M. Johnson, late a member from the county of Scott.

2. *Resolved*, That a committee of seven be appointed on the part of this House, to act in conjunction with such committee as may be appointed on the part of the Senate, to superintend the funeral of the deceased.

3. *Resolved*, That, in consideration of the eminent services of the deceased, both in the field and in the cabinet, he be buried in the Frankfort Cemetery in the grounds appropriated to the burial of Kentucky's illustrious dead.

4. *Resolved*, That the members and officers of this House will attend the funeral of the deceased from the House of Representatives on to-morrow at 10 o'clock, and that a message be forthwith sent to the Senate announcing to that body the death of R. M. Johnson, late a member of the House of Representatives, from the county of Scott, and that the Senate be requested to unite with this House in the funeral of the deceased.

5. *Resolved*, That as a testimonial of their regard for the illustrious deceased, the members and officers of this House will wear crape on the left arm for thirty days.

6. *Resolved*, That as a further mark of respect for the deceased, this House do now adjourn.

And the question being taken on the adoption of the 1st, 2d, 3d, 4th, and 5th resolutions, it was unanimously decided in the affirmative.

Whereupon, Messrs. Desha, Jesup, Mansfield, Heady, Hanson, G. I. Brown, and Rowlett, were appointed a committee on the part of this House.

The question was then taken on the adoption of the 6th resolution, and decided in the affirmative.

WEDNESDAY, NOVEMBER 20, 1850.

On motion of Mr. Logan,

The House adjourned.

THURSDAY, NOVEMBER 21, 1850.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of the soldiers of the late war with England, &c.

An act to define the limits of Clay and Perry counties.

An act to change the law concerning a road in Perry and Clay counties.

An act to run and re-mark the dividing line between the counties of Campbell and Pendleton.

An act to repeal an act to prevent unlawful fishing in parts of Licking river.

An act for the benefit of John Martin, of Floyd county.

An act for the benefit of Samuel Haycraft.

That they had passed a bill and resolution of the following titles, viz:

An act for the benefit of the Clerks of the Circuit and County Courts of this Commonwealth.

A resolution fixing this day for the election of Commissioners to revise the Statutes, and prepare a Code of Practice.

And had received official information from the Governor, that he had approved and signed resolutions which originated in the Senate, of the following titles, viz:

A resolution to postpone the day for the election of Commissioners to revise the Statutes, and simplify the rules of Practice.

A resolution authorizing the purchase of 150 copies of a Lithographic skeleton map of the State of Kentucky.

Approved November 18, 1850.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate Crittenden Lodge, No. 150.

An act to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

An act for the benefit of David Click, of Floyd county.

An act for the benefit of Thornton Triplett.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

1. Mr. Rogers presented the petition of H. B. Ingels, praying compensation for arresting a fugitive from justice.

2. Mr. Woodward presented the petition of John D. Coldiron and Ezekiel Hoskins, praying that a part of Perry county may be added to Clay.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims, and the 2d to Messrs. Woodward, Brittain, and Black.

The Speaker laid before the House the annual report of the Treasurer, which is as follows, viz:

TREASURY DEPARTMENT,
Frankfort, Nov. 19, 1850.

Sir: I have the honor to communicate to you the annual report of this Department.

Very respectfully,
R. C. WINTERSMITH, *Treasurer.*

To the Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of Thomas Gressom and others, the petition of Edward McLure and others, and the petition of M. W. Johnson and others, asked to be discharged from the further consideration of the same, which was granted.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill for the benefit of William Slusher, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the same committee, to whom was referred the petition of sundry citizens of Lawrence county, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Mitchell—1. A bill to incorporate the Louisa, Paintsville, Prestonburg and Pikeville Turnpike Road Company.

By Mr. Gilmore—2. A bill to authorize the Police Judge of Somerset to grant injunctions.

By Mr. Hanson—3. A bill to apportion representation.

By Mr. Jesup—4. A bill for the benefit of the Trustees of School District, No. 3, in Todd county.

By Mr. Payne—5. A bill to establish twelve judicial Circuit districts.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee on Internal Improvement; the 2d to the committee on the Judiciary; the 3d to a committee of the whole, and made the special order of the day for the 4th of December next; the 4th was ordered to be engrossed and read a third time, and the 5th was referred to a committee of the whole, and made the special order of the day for December the 2d.

The rule of the House, constitutional provision, and third reading of the 4th bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 3d and 5th bills for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilmore—1. A bill to abolish the Stray Pen in Pulaski county.

On motion of Mr. T. Todd—2. A bill to incorporate the town of Hardinsville, in Shelby county.

On motion of same—3. A bill for the benefit of Stephen Moody, of Monroe county.

On motion of same—4. A bill to organize County Courts in the several counties.

Ordered, That Messrs. Gilmore, W. M. Green, and Sallee, prepare and bring in the 1st; the committee on the Judiciary the 2d; Messrs. T. Todd, Leslie, and Lewis, the 3d, and the committee on County Courts the 4th.

Mr. T. Todd moved the following resolution, viz:

Resolved, That the Public Printer be directed to furnish three thousand additional copies of the speech of the Hon. Henry Clay, for the use of the members of this House.

Mr. Payne moved to amend said resolution by adding the following, viz:

And that the committee of arrangement be instructed to obtain the eulogy of the Rev. Stuart Robinson, on the life and character of Richard M. Johnson, and that they be instructed to have published five thousand copies of the same.

Mr. Kavanaugh moved to lay said resolution and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Daniel Cain,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Thomas W. Riley,
Christopher C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Elisha F. Wells,
G. W. Williams, of H.
James T. Woodward—53.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. Tarvin Baker,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
John G. Gooch,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Samuel B. Jesup,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
Edmund Wooldridge—37.

A message was received from the Governor by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in this House, of the following titles, viz:

A resolution to appoint a committee to visit the Lunatic Asylum.

A resolution to instruct the committee on the Library to inquire whether or not there be a State Librarian.

A resolution to appoint a committee to visit the Instiution of the Blind, and Marine Hospital.

An act to incorporate the Christian Church in the town of Paducah.

An act for the benefit of the mechanics of McCracken county.

An act to change the May term of the County Court of Shelby county.

An act for the benefit of William D. Mitchell.

An act to repeal the 5th section of an act to amend the charter of the Jefferson and Brownsboro' Turnpike Road Company.

An act to amend the act, entitled, an act to mark definitely the dividing lines between certain counties, approved February 27th, 1849.

An act to authorize the Bourbon County Court to subscribe for stock in the Newtown and Leesburg Turnpike Road Company.

Approved November 18, 1850.

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz :

EXECUTIVE DEPARTMENT,
November 21st 1850.

Gentlemen of the Senate and House of Representatives :

I have the honor to transmit to you the memorial of Thomas H. Barlow, asking the assistance of the State to enable him to visit the London Industrial Exhibition for the purpose of exhibting a Planetarium which he has constructed.

Mr. Barlow, I am informed, is a native of Kentucky, and is a most worthy and excellent citizen. He is a man of wonderful skill and proficiency in the mechanical arts, and is a self-made man. Such a man deserves the sympathy and consideration of his fellow citizens.

Of the value of his invention, I am not competent to judge. It has been submitted to several gentlemen learned in astronomy, all of whom unite in pronouncing it a great triumph of genius and mechanical skill. I refer you gentlemen to the communications herewith enclosed, and respectfully but earnestly ask your attention to the subject at your earliest convenience.

JOHN L. HELM.

FRANKFORT, KENTUCKY,
November 19th 1850.

The memorial of Thomas H. Barlow, a native, and for above fifty years a resident of Kentucky, and now a citizen of Lexington—respectfully sheweth :

That after long continued and earnest efforts—persevered in through the greatest discouragements—he has succeeded in inventing and constructing an Instrument, commonly called a Planetarium—which he believes is far more perfect, than any thing of the sort ever before produced.

This instrument he is desirous of exhibiting at the great Industrial Exhibition in London, next spring ; and to that end, has submitted it to the examination of the committee appointed for that purpose, by the Governor of Kentucky, and it has been approved and certified.

But this memorialist is a poor man, and wholly unable to bear the expense of the journey to London and back. He is also a laboring man—and even the loss of the time would be important to him. But he is unwilling to be at expenses for the transportation &c., of his instrument—and not accompany it, exhibit it, and explain it himself ; for by this latter course he might not only loose his money, but also his just rights as an inventor—and his country the honor which he hopes may result from this invention.

He therefore desires and asks, that the sum of five hundred dollars may be

advanced to him by the State of Kentucky, to enable him to go with his Planetarium to the Industrial Exhibition at London; that sum being the smallest amount, as he believes, that will suffice to carry him there—maintain him six months, which the trip will require—the exhibition itself lasting several months—defray his unavoidable expenses and bring him home.

He does not ask this as a gift from the State; but in return for it, he offers to make over to the State of Kentucky, for the benefit of all her people, the free use of the invention he has made, without any charge for the patent privilege; and he further offers to bind himself to furnish his instruments, plainly, but correctly, and handsomely made, to all the District Schools in the State, that apply for them, at their actual cost—which will be about twenty-five dollars each: and he does not hesitate to say, that he considers the substantial benefits embraced in this offer, a most ample equivalent for the small advance he asks the State to make—in the promotion of an object which concerns her reputation as well as her interest.

He further represents, that a special report from the committee mentioned above, the chairman of which is the Superintendent of Public Instruction for the State—recommending the object herein sought, accompanies this memorial; as do also several letters from eminent scientific gentlemen explaining the nature, uses, and importance of his invention; and he now adds that he is anxious to submit his instrument to any further examination—it being now in Frankfort, for exhibition—that shall be considered necessary.

In conclusion, this memorialist, as he trusts with becoming modesty—and with perfect respect for his Excellency and the members of the Legislature to whom he herein addresses himself,—has laid open his heart on a subject upon which, as may well be supposed, he feels deeply. He thinks he has gone as far as is becoming in one situated as he is. He will be grateful for the countenance and aid of his country, if they are extended to him. If they are denied—he knows too well the fate of those who have in all ages conferred blessings on mankind by their great discoveries—to murmur at any thing that may befall him. He cannot at least, be deprived of the consciousness that he has done that—which may, if rightly used, greatly benefit mankind—and which ought, perhaps, to entitle him to the fair consideration of his country. All which is respectfully submitted.

THOS. H. BARLOW.

To his excellency the Governor,
and to the members of the Senate and House of Representatives.

FRANKFORT, November 19th 1850.

To his excellency JOHN L. HELM,
Governor of Kentucky.

The committee appointed by your Excellency, under the requisition of the Central Agency at Washington city, to examine such articles—the product of Kentucky—as might be presented to them, with the view of being transmitted to the great Industrial Exhibition at London, have, in the performance of their duty, been engaged in the examination of an instrument constructed by *Thomas H. Barlow*, which the committee supposes to be worthy, under all the circumstances, of this special report to your excellency.

Such notice has been taken of this instrument, and such a testimonial been made in regard to it, as will give it a place in the great London exhibition—as the only article sent from Kentucky, as far as yet appears. But, as will more fully appear by the memorial of the said Thomas H. Barlow, accompanying this report—it is impossible for the instrument to go, much less for him to accompany it, without the aid of the State; which it is the object of his memorial to obtain—and of this

report to commend to the favorable notice of your Excellency, and through you, to the Representatives of the people.

The instrument which is of that nature, commonly called a Planetarium, is intended to exhibit, upon mechanical principles, some of which are new in their application in this manner; and by means of mechanical contrivances, some of which are not only new, but wonderfully simple, beautiful and efficacious—not only the ordinary and well understood system of the planetary motions—but also to demonstrate the most intricate and complex movements of all the bodies, primary and secondary, which enter into our Solar System. This has actually been accomplished, and a work manifesting great genius, and consummate skill in Art, has been produced.

The reputation of the Commonwealth, cannot fail to be promoted by the exhibition, on so great a theatre, of such an instrument; and the boundaries of knowledge, enlarged, by such a contribution to one obvious and proper mode of extending them. In addition to such considerations, the knowledge which one capable of such an invention as this, will bring back from such an exhibition as that at London will be,—must necessarily be invaluable, alike to himself and to the state. But, apart from all other motives to aid Mr. Barlow, there can be no question, that the consideration he offers to the state, by way of compensation for the very moderate sum of money he asks to be appropriated for his use—is a most liberal offer on his part, and a most valuable one to the cause of education in the state.

For further satisfaction, in the premises, the opinions in writing, of several gentlemen, eminent for their attainments, and for their skill as instructors of youth—have been obtained touching the instrument invented and constructed by Mr. Barlow—and are transmitted, together with his memorial, along with this report.

As it is indispensable that all articles sent to the exhibition in London, from this country, should be stored in the national depot, in the city of New York, early in the month of January—or miss the opportunity of being sent at all—your Excellency and the Representatives of the people will perceive, that any thing which it may be considered proper to do, must, to be of any service, be done at an early day. All which is respectfully submitted.

RO. J. BRECKINRIDGE,
Chairman of the Committee.

To his excellency JOHN L. HELM,
Governor of Kentucky.

Dear Sir: Not finding it convenient to meet Dr. Robert J. Breckenridge in Frankfort for the purpose of examining conjointly with him, Mr. Barlow's Planetarium and reporting thereon, I embrace with much pleasure, this means of communicating to you my opinion of its merits.

The most striking feature in Mr. Barlow's Planetarium—that which constitutes its novelty—is its great *simplicity*. All the machines intended for astronomical illustrations, which I have heretofore seen, were exceedingly complicated in construction, and, consequently, very liable to become impaired.

The machine invented and constructed by Mr. Barlow, is further to be admired for the great *number of facts* which it illustrates. It is as unnecessary as it would be tedious, to mention these in detail. I do not remember any material physical phenomenon, referable to the motions of Venus, the Earth, and the Moon, which may not be demonstrated by it. It is to be noted in this connection, that all the motions of the machine are surprisingly accurate—true to nature.

The simplicity of Mr. Barlow's Planetarium will enable him to furnish it at so low a rate, as to bring its advantages within the reach of almost all our smaller

schools, select and district. This consideration is thought to be eminently commendatory of the machine.

Every teacher, it is presumed, who attempts to communicate accurate ideas of planetary motions without the aid of some kind of apparatus, soon finds himself hopelessly embarrassed. The illustration of even the common phenomenon of the seasons, as caused by the movements of the Earth in its orbit, and by the inclination of its poles to the plane of the Ecliptic, is found impossible without machinery. The demonstration of the more complicated causes of lunar phenomena, it would be folly to attempt. In my opinion, diagrams in general, only serve to confuse the pupil, and to give him erroneous notions of celestial appearances. In adaptedness for illustrating the real motions of the moon, and all the phenomena dependent thereon, it is believed that Mr. Barlow's machine excels any other in existence.

On all these accounts, and others, with which I need not trouble your Excellency, I feel deeply anxious that Mr. Barlow's Planetarium should obtain notoriety and be brought into general use. It might not be improper to suggest to your Excellency, that any legitimate exercise of your influence, personal and official, for this end, would be both benevolent and patriotic.

I have the honor to be, your fellow citizen,

L. L. PINKERTON, *M. D.*

Baconian Institute, Midway Ky., Nov. 19th 1850.

TRANSYLVANIA UNIVERSITY, November 18th 1850.

Gentlemen: It affords me pleasure to convey to you (as requested in your communication of the 16th inst.) my opinion of the utility, ingenuity, and novelty of the Tellurion, or Planetarium, constructed by Mr. Barlow.

The utility of this class of instruments, may be fairly concluded, from their very general use in the higher schools of our country; very few intelligent teachers considering their means of scientific instruction complete without one. To the beginner in the science of Astronomy, they certainly afford the greatest facilities for acquiring those elementary ideas of the subject, on the distinctness of which his successful pursuit of the science will entirely depend.

Mr. Barlow's instrument, I confidently believe, is superior in its mechanical devices, and in the number and accuracy of the results which it produces, to any known to the public. Its *peculiar ingenuity* consists in the simplicity of the means employed, to represent such phenomena as arise from the eccentricity of the Earth's orbit, the inclination of her axis to the plane of the Ecliptic, the inclination of the Moon's orbit, the retrogradation of her nodes, and similar facts relating to the planet Venus. The revolutions of these bodies, including their synodic periods, whence result eclipses and transits, are represented with a degree of accuracy which I venture to say has been attained in no other instrument of the kind.

This very brief statement embraces the points which, it seems to me most important to notice in regard to the instrument in question, and which I understand to be in conformity with the object of your communication.

I have the honor to be, your obedient servant,

JAMES B. DODD.

To Messers C. C. Rogers, and C. B. Wallace,
Chairmen of the committees on Education, Kentucky Legislature.

WALNUT HILL, November 19th 1850.

Gentlemen: Your letter of the 16th is before me, and I hasten to reply to it. We have at this Institution a Planetarium, made by Mr. Barlow, of Lexington

Kentucky. I am no machinist, and can therefore only say in regard to the machinery, that it is novel and ingenious in its combinations, differing from those of Orrery and Ferguson, intended to illustrate the same astronomical facts. But of the results produced by the mechanical skill of Mr. Barlow, I can speak confidently. The diurnal and annual motions of the earth, the motion and phases of the moon, the relative positions of the sun, earth and moon, when eclipses occur, the lengths of day and night, and the seasons of the year, are all illustrated by being not described, but brought before the eye. The motion of the planet Venus around the sun, is also shown, and the reason of its being in one part of its orbit the morning star, and in another the evening star, is made manifest. It seems to me an original, ingenious, and highly useful astronomical apparatus, and worthy the attention of all enlightened men.

Very respectfully, your obedient servant,

JOHN LEWIS.

Messrs C. C. Rogers, Ch. C. Ed. H. Rep.
C. B. Wallace, Ch. C. Ed. Senate.

Ordered, That said message be referred to the committee on Education, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. T. Todd moved the following resolution, viz:

Resolved, That the use of this Hall, at half past six o'clock this evening, be tendered to Mr. Jno. A. Jacobs, Principal of the Deaf and Dumb Asylum, at Danville, Kentucky, for the purpose of exhibiting several of the mutes, to show the progress they are making in the various branches taught in that Institution.

Which was adopted.

A resolution from the Senate, fixing this day for the election of Commissioners to revise the Statutes and prepare a Code of Practice, was taken up, twice read, and concurred in.

The amendments proposed by the Senate to a bill from this House, entitled, an act to incorporate Pulaski Lodge, No. 111; Curd Lodge, No. 175, and Somerset Chapter, No. 25, were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

An act to incorporate the Mitchellsville and Dry Creek Plank Road Company.

An act for the benefit of the Clerks of the Circuit and County Courts in this Commonwealth.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate by Mr. Bruce, announcing that they were ready to proceed to the election of Commissioners to revise and arrange the Statutes, and prepare a Code of Practice.

Ordered, That Mr. Preston inform the Senate that this House is also ready.

Mr. Riley nominated Messrs. Charles A. Wickliffe, Samuel S. Nicholas, and Squire Turner, as Commissioners to revise and arrange the Statutes.

And after interchanging nominations this House proceeded to take the vote, when Messrs. Wickliffe, Nicholas, and Turner, received the unanimous vote of this House.

Messrs. Riley, Preston, and A. G. Talbott, were appointed a committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Riley, from said committee, reported that Messrs. Wickliffe, Nicholas, and Turner, had received the unanimous vote of both Houses.

Whereupon they were declared duly elected Commissioners to revise and arrange the Statutes.

Mr. Preston nominated Messrs. James Harlan, Preston S. Loughborough, and Madison C. Johnson, as Commissioners to prepare a Code of Practice.

And after interchanging nominations, this House proceeded to take a vote, when Messrs. Harlan, Loughborough, and Johnson, received the unanimous vote of the House.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Preston, from said committee, reported that Messrs. Harlan, Loughborough, and Johnson, had received the unanimous vote of both Houses.

Whereupon they were declared duly elected Commissioners to prepare a Code of Practice.

And then the House adjourned.

FRIDAY, NOVEMBER 22, 1850.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of the Common School Commissioners of Monroe county, with an amendment.

That they had passed a bill to incorporate the Flemingsburg and Upper Fox Springs Turnpike Road Company.

And had adopted a resolution in relation to the funeral discourse delivered on the death of Col. Richard M. Johnson.

1. Mr. Riley presented the petition of sundry citizens of Bloomfield, in Nelson county, praying the passage of a law allowing the citizens of said town the liberty of voting upon the propriety of granting license to retail ardent spirits.

2. Mr. Dulin presented the petition of John C. Wilson, praying that his property be disconnected from the town of Flemingsburg.

3. Mr. Garrett presented the petition of sundry citizens of Prestonburg, praying a repeal of all laws chartering said town, and that a new charter may be granted.

4. Mr. Bradley presented the petition of William Loewenthal, of Hopkins county, praying that the amount paid by him for peddler's license may be refunded.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Riley, Wells, and Heady; the 2d and 3d to the committee on Propositions and Grievances, and the 4th to the committee on Claims.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the law concerning a road in Perry and Clay counties.

An act to run and re-mark the dividing line between the counties of Campbell and Pendleton.

An act to repeal an act to prevent unlawful fishing in parts of Licking river.

An act for the benefit of John Martin, of Floyd county.

An act to define the lines of Clay and Perry counties.

An act for the benefit of Elijah H. Looman, of Fleming county.

An act for the benefit of the soldiers of the late war with England, &c.

An act to incorporate Pulaski Lodge, No. 111.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to repeal an act for the benefit of James Cunningham, of Trigg county.

By same—2. A bill to repeal an act, entitled, an act to reduce into one the several acts concerning the town of Cynthiana.

By same—3. A bill to authorize Hayten Lindsay to erect a mill dam on Nolin, in Edmonson county.

By Mr. Woodward—4. A bill to change the lines of Perry and Clay counties.

By Mr. Owsley—5. A bill for the benefit of the Sheriff of Cumberland county.

By Mr. Purdy—6. A bill for the benefit of William Milbourne, Jailer of Marion county.

By Mr. T. Todd—7. A bill for the benefit of Stephen Moody of Monroe county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of the 1st, 2d, 4th, 5th, 6th, and 7th bills having been dispensed with, the 1st, 2d, 4th, 5th, and 7th, were severally ordered to be engrossed and read a third time, and the 6th was referred to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th and 7th bills, having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Williams, of Hancock,

Ordered, That Mr. Leslie be added to the committee on County Courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hampton—1. A bill in relation to that part of the Owingsville and Big Sandy Turnpike Road, that lies in the county of Bath.

On motion of Mr. A. G. Talbott—2. A bill to amend the existing laws requiring the Assessors to return the number of Deaf and Dumb persons in each county to the Auditor.

On motion of Mr. Dulin—3. A bill for the benefit of the town of Flemingsburg.

On motion of Mr. Garrett—4. A bill for the benefit of James G. Hatcher, the former committee of Luanna Branham, an idiot, of Floyd county.

On motion of Mr. Williams, of Hancock—5. A bill to establish a uniform lien law in favor of mechanics and others.

On motion of Mr. N. Green—6. A bill to incorporate the Henry Female Academy.

Ordered, That Messrs. Hampton, Rowlett, Phelps, Gray, and Black,

prepare and bring in the 1st; Messrs. A. G. Talbott, T. Todd, and Varnon, the 2d; the committee on Propositions and Grievances, the 3d; Messrs. Garrett, Cook, and Morrow, the 4th; the committee on the Judiciary the 5th, and Messrs. N. Green, T. Todd, and Geiger, the 6th.

Mr. Preston moved the following resolution, viz:

Resolved, That the tables showing the number of qualified voters and population, and the number of Chancery, criminal, and common law cases in the several Courts, be printed on the back of the skeleton maps of Kentucky, prepared for the use of the House.

Mr. Wooldridge moved to amend said resolution by adding the following, viz:

Resolved, That the Second Auditor be required to furnish to this House the additional voters reported to him by the Clerks since his last report, and that said amended report form a part of the list of voters printed upon the back of said map.

And the question being taken on adopting the same, it was decided in the affirmative.

The said resolution, as amended, was then adopted.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of Thornton Triplett.

Approved November 20, 1850.

An act for the benefit of David Click, of Floyd county.

An act to amend the charter of the Versailles and Nicholasville Turnpike Road Company.

An act to incorporate Crittenden Lodge, No. 150.

Approved November 21, 1850.

The Speaker laid before the House the annual report of the Kentucky Institution for the Education of the Deaf and Dumb.

[*For Report—see Legislative Documents.*]

Mr. A. G. Talbott moved the following resolution, viz:

Resolved, That the Public Printer print seven hundred copies of the report of the Deaf and Dumb Asylum, with the Deaf and Dumb alphabet attached, and a neat paper cover; four hundred for the use of the Institution, and the residue for the use of the members of the General Assembly.

Which was adopted.

Mr. Logan, from the committee appointed on the contested election from the county of Garrard, made a report, accompanied with a resolution, which is as follows, viz:

The select committee, to whom was referred the petition of William A. Hoskins, contesting the election of John B. Arnold, the member re-

turned to serve in this House from the county of Garrard, beg leave to report, that they have finished their labors. After procuring the attendance of witnesses from the county of Garrard, the first question presented for their determination, was raised by an exception of Arnold to the notice of Hoskins. It was whether there had been a valid service of the notice. An official "return" upon the notice, dated 10th August, 1850, shows that a duplicate thereof had been tendered by a Constable of said county to Arnold, and that Arnold refused to accept it; that the Constable then explained to Arnold the contents of the notice, and dropped the same at his feet. The tender of the notice to Arnold, his refusal to receive it, and the officer's dropping it at his feet are, moreover, proved by the affidavit of the Constable. The committee did not doubt that such a service of the notice was sufficient.

The next question presented for decision, was upon an exception of Arnold to the admission of parol testimony on the part of Hoskins. It was contended by Arnold that the statute, entitled, "an act regulating elections," pointed out the only proper mode of determining contested elections—that the mode prescribed in that statute, as to a Senator or Representative, varied from the mode therein prescribed as to a Governor or Lieutenant Governor—and that, whilst the statute gave express authority in the case of a Governor or Lieutenant Governor, to send for persons, papers, and records, it contained an implied prohibition to do so in the case of a Senator or Representative.

The resolution, under which the committee derived their authority, empowered them to send for persons, papers, and records. Its language is nearly identical with numerous precedents which have occurred in this House. Whatever might be the judgment of the committee, were the question a new one, a majority felt constrained, by precedent, to decide in favor of admitting the parol testimony offered by Hoskins. After hearing the parol testimony, the committee proceeded to examine the depositions, first taking up, and, one by one, disposing of the votes for Arnold challenged by Hoskins. They afterwards, in like manner, disposed of the votes for Hoskins, which were assailed by Arnold. An index to the depositions, accompanied with a synopsis of the parol evidence, is herewith presented, to enable the members of the House to examine the testimony for themselves. The legality of the disputed votes was decided by the committee with great unanimity. Wherever there was a difference of opinion, they deem it proper to state the names of the dissenting minority.

The following votes for Arnold were adjudged by the committee to be illegal—some of them being admitted by Arnold to be so:

1. Charles Talbot, unanimously; non-residence.
2. Andrew Hill, unanimously; non-age.
3. William Newton, unanimously; non-residence.
4. Hyatt Renfro, unanimously; non-residence.
5. John Smith, admitted; non-age.
6. Jesse Merit, admitted; non-age.
7. William J. Hammonds, unanimously; non-age.
8. John Sutherland, Hanson and Rodman dissenting; non-age.
9. W. G. Pollard, unanimously; mistake in recording.

The following votes for Arnold were decided by the committee to be legal—one being admitted to be so by Hoskins:

1. Jackson Holmes, unanimously; non-residence.
2. Huke Huffman, unanimously; non-residence.
3. Isaac N. Moore, unanimously; non-residence.
4. N. A. Thompson, admitted; non-residence.
5. Bailey Hicks, unanimously; non-residence.
6. William Renfro, unanimously; non-residence.
7. Pleasant Perkins, McElroy dissenting; alleged to be an emancipated mu'atto.
8. Robert Carpenter, Hays and Rodman dissenting; non-residence.

The following votes for Hoskins were decided by the committee to be illegal—some being admitted by Hoskins to be so:

1. Thornton Porter, admitted; non-age.
2. Jacob Smith, admitted; non-residence.
3. Henry Hurt, admitted; non-age.
4. J. B. Robards, McElroy dissenting; non-residence.
5. Enock Burdet, Hanson and Hays dissenting; non-residence.
6. Martin Brogle, McElroy dissenting; alienage.
7. Stephen Hardin, Hays dissenting; non-age.
8. Nathaniel Rochester, unanimously; non-residence.
9. Oswald Vonkenning, unanimously; non-residence.
10. Robert Argo, unanimously; non-residence.

The following votes for Hoskins were decided by the committee to be legal:

1. William Wall, unanimously; alienage.
2. Archy Woods, unanimously; non-residence.
3. Barney Pendergrast, unanimously; non-residence.
4. Comley Clarke, unanimously; non-residence.
5. Sidney F. Sims, unanimously; non-residence.
6. Elisha Thompson, unanimously; non-residence.
7. James Burnam, unanimously; non-age.
8. Elisha Evans, Rodman dissenting; non-residence.
9. Henry Mershon, unanimously; non-residence.

With regard to the vote of Pollard, which was recorded for Arnold, it is proper to state that neither his name, nor the objection to him was specified in the notice of Hoskins. Nevertheless, certain depositions were taken by Hoskins, to prove that the vote of Pollard had actually been cast for him, although it was recorded in the poll book for Arnold. To the reading of those depositions Arnold objected. The committee were of opinion that the law required a specification in the notice of the particular facts upon which any vote is contested, and that no other could afterwards be alleged or admitted. They, therefore, sustained the objection to the reading of the depositions. Afterwards, however, in the progress of the investigation, Arnold withdrew his objection to the reading of the depositions, and waived his right to have the "particular facts" (upon which the vote of Pollard was contested,) alleged in the notice. Thereupon, the committee, having heard the depositions, unanimously decided that the vote of Pollard should be deducted from Arnold's poll, and added to that of Hoskins.

During the progress of the investigation, and some days after the committee had decided upon the legality of Pleasant Perkins' vote, Hoskins moved the committee to reconsider their decision, and offered to introduce the Commissioners' books of Garrard county, to prove that Christian Perkins had enlisted, under oath, Pleasant Perkins for taxation, from the time of the birth of Pleasant, to the time of Christian Perkins' death; and that Christian Perkins had enlisted Eve, (the mother of Pleasant,) before his birth, and had, also, enlisted the two sisters of Pleasant Perkins from their respective births. Hoskins, likewise, offered to introduce the census book for the year 1840, to show that Eve, the mother of Pleasant, had given herself in to the deputy marshal, as a free negro. The committee refused to reconsider their decision, mainly upon the ground that the books, if introduced, would not affect their judgment, already pronounced. A majority of the committee were of opinion that the testimony relating to the pedigree of Pleasant Perkins, was wholly insufficient to establish, *with certainty*, that there was a drop of negro blood in his veins. They considered that the "onus" was upon Hoskins to prove that Pleasant Perkins was a "negro" or "mulatto." The vote having been cast and recorded for Arnold, it devolved upon Hoskins to show that it was *illegally* cast. Mere suspicion or speculation should not be held sufficient to disfranchise any man. To produce such an effect, a "judicial" degree of certainty should be required. A full examination of the testimony touching the "blood" of Pleasant Perkins, would extend this report beyond a reasonable limit. Suffice it to say, that, in the opinion of four out of five of the committee, the claim of Pleasant Perkins to the rank of a white man, of thorough blood, is successfully vindicated by the proof.

But, were it conceded, (which is not done,) that Pleasant Perkins is tainted with any quantity of African blood, less than one-fourth, still, it might he questioned whether that fact alone would disfranchise him.

An answer to this question would depend upon the proper construction of section 8, article 2, of the new constitution. According to that section, every "free white male citizen," having certain qualifications, of age and residence, therein prescribed, is a legal voter. The committee are not aware of any constitutional or statutory definition of the phrase "white man." The phrase may be relative, and admit of degrees. But an act of Virginia, passed in 1785, entitled, "an act declaring what persons shall be deemed mulattoes," furnishes a definition of the term "mulatto.". That act provides "that every person, of whose grandfathers or grandmothers any one is, or shall have been, a negro, although all his other progenitors, except that descending from the negro, shall have been white persons, shall be deemed a mulatto; and so every person, who shall have one-fourth part or more of negro blood, shall, in like manner, be deemed a mulatto." According to this act, one-fourth or more of "negro" blood, or to have one "negro" grandfather or grandmother, works corruption.

Now, Pleasant Perkins, in the opinion of a part of the committee, is either a "negro," a "mulatto," or a "white man." There is no pretext that he belongs to any other race, or that there is any grade of color or blood between the "mulatto" and the "white man." In the process of purification, when one ceases to be a "mulatto," he becomes

legally "white." The depositions, as well as personal inspection of his color, demonstrate that Pleasant Perkins is not a "negro." They also show, as the committee think, that if he can be said to have any "negro" blood at all, he certainly has not as much as one-fourth part, and, therefore, is not a "mulatto." May it not, then, be maintained, upon the hypothesis suggested, that he is, *legally*, a "white man." The term "mulatto" occurs in the act of 1798, which provides that "no negro, mulatto, or Indian, shall be admitted to give evidence, but against or between negroes, mulattoes, or Indians." It occurs again, in the plural form, in section 8, article 2, of the constitution of 1799, where it is associated with the terms "negroes" and "Indians." If a slight infusion of "negro" blood bars citizenship, the same consequence will attend an equal infusion of "Indian" blood. The proud descendants of Pocahontas, may then well bewail their fate. It is presumed, by the Chairman of the committee, that the term "mulatto" has a *legal* signification, and that it is always used, *in law*, in the sense affixed to it by the act of 1785. A person having a less proportion of African blood than one fourth, is a competent witness against a white man of thorough blood. Why, then, is he not a constitutional voter? Should it be thought that this construction of the constitution leads to an unpleasant conclusion, the fault lies in the unrepealed legal definition of "mulatto." Perhaps the Legislature should enact some other practical rule, (less favorable to the African,) to determine the competency of voters as well as witnesses.

The decisions of the committee, when applied to the votes received, produce the following result:

The poll books give Arnold - - - - - -	701 votes.
From which deduct illegal votes - - - - -	9
Leaving legal votes - - - - -	692
The poll books give Hoskins - - - - - -	700 votes.
From which deduct illegal votes - - - - -	10
Leaving recorded legal votes - - - -	690
Add the vote of W. G. Pollard, - - - -	1
	691

Thus Arnold received a majority of one vote over Hoskins.

The committee, therefore, report the following resolution:

Resolved, That John B. Arnold, who has been returned by the Sheriff of Garrard county, to have been elected a Representative from said county at the last August election, to serve in this House, was duly elected at the election aforesaid, by the qualified voters of said county, and that his title to a seat in this House be confirmed.

CALEB W. LOGAN, *Ch'mn.*
JNO. RODMAN,
R. G. HAYS.

The House then resolved itself into a committee of the whole on said report and resolution, Mr. Wooldridge in the Chair, and after some time

spent therein, the Speaker resumed the Chair, when Mr. Wooldridge reported that the committee had, according to order, had under consideration the report and resolution aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

On motion of Mr. McElroy,

Resolved, That William A. Hoskins be permitted to appear within the bar of this House, either in person or by attorney, and that John B. Arnold may avail himself of counsel.

On motion of Mr. McElroy,

Resolved, That the House will, on to-morrow, at half past 10 o'clock, A. M., resolve itself into a committee of the whole, on the report and resolution of the committee on the contested election from the county of Garrard.

And then the House adjourned.

SATURDAY, NOVEMBER 23, 1850.

A message was received from the Senate, announcing that they had adopted a resolution directing an examination into the condition of Transylvania University.

The following bills were reported by the committee on the Judiciary, who were appointed to prepare and bring in the same:

A bill to repeal in part an act, entitled, an act authorizing mill dams to be built across John's creek.

A bill to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hord, from the committee on the Judiciary, to whom was referred a bill to authorize the Police Judge of Somerset to grant injunctions, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill for the benefit of Alexander McDaniel, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then put on the passage of said bill, and after some discussion had thereon, the hour of half past 10 o'clock, A. M., arrived, when the House proceeded to the special order.

The House then, according to order, resolved itself into a committee of the whole on the report and resolution of the committee on the contested election from the county of Garrard, Mr. Wooldridge in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Wooldridge reported that the committee had, according to order, had under consideration the report and resolution aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

MONDAY, NOVEMBER 25, 1850.

1. Mr. Williams, of Bourbon, presented the petition of William Conn, and others, praying that a toll gate may be established on the Paris and Georgetown Turnpike Road.

2. Mr. Mitchell presented the petition of sundry citizens of Owsley county, praying for the removal of the seat of justice of said county.

3. Mr. Harris presented the petition of the Justices of the Peace of Madison county, and sundry citizens thereof, praying that Jacob S. White may be relieved from the payment of damages imposed on him for an alledged omission of duty.

4. Mr. Rodman presented the petition of sundry citizens of Oldham county, praying a change of the place of voting in an election precinct in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Propositions and Grievances; the 3d to the committee on the Judiciary, and the 4th to the committee on Privileges and Elections.

On motion of Mr. McElroy,

Ordered, That the committee of the whole be discharged from the further consideration of the report and resolution of the committee on the contested election from the county of Garrard.

The Speaker laid before the House the following communications, viz:

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives:

Sir: Mr. William A. Hoskins, having withdrawn his pretensions to a seat in the House of Representatives, Kentucky Legislature, as member from Garrard county, I herewith tender my resignation to a seat in the House, as the member returned from said county.

J. B. ARNOLD.

I, W. A. Hoskins, who is contesting the right to a seat in the Legislature of Kentucky, at its present session, of J. B. Arnold, do hereby withdraw any future contest, provided said Arnold shall resign a claim to a seat this 24th of November, 1850. W. A. HOSKINS.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate Cumberland Lodge, No. 149.

An act to authorize the Clerk of the Ohio County Court to transcribe and index certain records in his office.

An act for the relief of Francis Hillary.

An act to incorporate Boone Lodge, No. 1, Independent Order of Odd Fellows, Louisville.

An act to incorporate the Maxwell Spring Company.

An act better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson.

An act for the benefit of the Trustees of School District No. 3, in Todd county.

An act to run and re-mark the dividing line between the counties of Butler and Edmonson.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to establish a Police Court in the town of Hardinsburg.

An act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

An act to incorporate the Hawesville Cemetery Company.

An act for the benefit of the Funk Seminary and Masonic University, at LaGrange.

The House resumed the consideration of the bill for the benefit of Alexander McDaniel.

The said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Alexander McDaniel be, and he is hereby authorized to sell by retail or at auction, any article of goods made or manufactured by himself, within the limits of this Commonwealth, any law or ordinance of any town or city to the contrary notwithstanding.

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Taylor and Bruner, were as follows, viz :

Those who voted in the affirmative, were

Robert A. Athey,	George W. Kavanaugh,	Burwell C. Ritter,
William Beeler,	Peter Lashbrooke,	Christopher C. Rogers,
Wm. Bradley,	Preston H. Leslie,	Thomas Todd,
Carlo B. Brittain,	George W. Mansfield,	John Tompson,
William H. Calvert,	John S. McFarland,	Thomas W. Varnon,
Robert H. Campbell,	James P. Metcalfe,	William T. Ward,
Joseph Dougherty,	Strother D. Mitchell,	G. W. Williams, of B.
Bernard H. Garrett,	William Preston,	Edmund Wooldridge—25.
Alfred F. Graham,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
James M. Alexander,	John G. Gooch,	George H. Morrow,
William W. Alexander,	William H. Grainger,	Joel Murphy,
R. Tarvin Baker,	Wm. M. Gray,	Benjamin L. Owens,
William S. Black,	William M. Green,	Joel Owsley,
George P. Brown,	Thomas S. Grundy,	Julian N. Phelps,
John B. Bruner,	George M. Hampton,	Edward C. Purdy,
George R. Burgess,	Wm. Harris,	John Rodman,
Daniel Cain,	P. B. Hawkins,	Joseph W. Rowlett,
Alexander P. Churchill,	Randall G. Hays,	John L. Sallee,
Henry R. D. Coleman,	Lysander Hord,	John Shawhan,
John W. Cook,	Samuel B. Jesup,	George W. Silvertooth,
Winston J. Davie,	Samuel A. Kingman,	Basil G. Smith,
Asbury Dawson,	Hiram Klette,	Albert G. Talbott,
Edward F. Dulin,	Daniel Landes,	Ambrose H. Talbott,
Robert English,	Joseph H. Lewis,	Jesse S. Taylor,
Richard H. Field,	Caleb W. Logan,	Wm. T. Terrill,
Edgar B. Gaither,	Daniel Matthewson,	G. W. Williams, of H—56.
William H. Gardner,	Hiram McElroy,	

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill to amend an act, entitled, an act to incorporate the Lexington and Danville Railroad Company, reported the same without amendment.

Ordered, That said bill be re-engrossed and read a third time.

The Speaker laid before the House the report, in part, of the Commissioners to prepare a Code of Practice.

Ordered, That said report be referred to the committee on the Code of Practice.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Circuit Courts—1. A bill to authorize the several Circuit Courts to change the venue in penal and criminal prosecutions.

By the committee on County Courts—2. A bill to increase the terms of the Campbell County Court.

By Mr. Garrett—3. A bill for the benefit of James G. Hatcher, committee for Luanna Branham, an idiot, of Floyd county.

By Mr. Mitchell—4. A bill for the benefit of the Presbyterian Church, in Mountsterling.

By Mr. Gilmore—5. A bill to abolish the Stray Pen, in Pulaski county.

By Mr. A. H. Talbott—6. A bill to incorporate Bedford Division, No. 159, Sons of Temperance.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee on the revision of the Statutes, and the 2d, 3d, 4th, 5th, and 6th, were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 5th, and 6th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on County Courts be instructed to inquire into the expediency of requiring the County Attorney to represent the interest of infant heirs, in case the Judge of the County Court should be charged with the settlement of their estates.

Which was adopted.

Mr. Leslie moved the following resolution, viz:

Resolved, That the Second Auditor be requested to inform this House how much money has been drawn from the Public Treasury of Kentucky each year, for the last ten years, for taking in the taxable property of this Commonwealth.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Williams, of Bourbon—1. A bill to amend the charter of the Paris and Winchester Turnpike Road Company.

On motion of Mr. Wooldridge—2. A bill to amend the execution laws, so as to exempt the homestead from sale under execution or attachment.

On motion of Mr. Moore—3. A bill to extend the limits of the town of Proctor, in Owsley county.

On motion of Mr. Mitchell—4. A bill for the benefit of Sarah Brothers, and her children.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; the committee on the Judiciary the 2d; Messrs. Moore, Mitchell, and Brittain, the 3d, and Messrs. Mitchell, Ritter, and Dulin, the 4th.

The House then resolved itself into a committee of the whole on the bill concerning free negroes and mulattoes, Mr. McFarland in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, NOVEMBER 26, 1850.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of William Slusher.

An act to incorporate the Elizaville and Helena Turnpike Road Company.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Maysville and Big Sandy Railroad Company.

An act in relation to the Florence Academy, in Boone county.

1. Mr. Hord presented the petition of Charles Morris, praying an appropriation for services rendered in conveying a dispatch of the Governor to the county of Letcher, for the Commissioners' books of said county.

2. Mr. Logan presented the petition of sundry citizens of Louisville, praying that the German Roman Catholic St. Alphonsas Liebesbund Benevolent Society of Louisville may be incorporated.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims, and the 2d to the committee on Religion.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill for the benefit of the town of Flemingsburg.

By the committee on the Judiciary—2. A bill for the benefit of the Trustees of Washington.

By the committee on Ways and Means—3. A bill for the benefit of tax payers.

By Mr. Davie—4. A bill to authorize the Governor to cause to be made a geological survey of this State.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of the 1st, 2d, and 4th bills having been dispensed with—the 1st and 2d were severally ordered to be engrossed and read a third time, and the 4th was referred to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision, and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Louisa, Paintsville, Prestonburg, and Pikeville Turnpike Road Company, reported the same with amendments, which were concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. T. Todd, from the committee on Ways and Means, who were appointed to prepare and bring in the same, reported a bill to authorize the licensing of billiard tables, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the Mayor and Council of any incorporated city of this Commonwealth, or for any County Court of this State, to grant license for the establishment and erection of billiard tables therein, upon the following terms, and under the following restrictions, to-wit:

§ 2. That no such license shall be issued to any person or persons, unless such person or persons shall pay to the Sheriff of the county the sum of five hundred dollars for each table licensed, and take the Sheriff's receipt for the same; upon the production of which receipt to the County Court or City Council, shall entitle the person or persons applying for the same, to a license to erect and keep a billiard table or tables for the term of one year: *Provided*, that at the several watering places in this State, billiard tables may be licensed in the same manner for a shorter period than one year, by the payment of one hundred dollars per month.

§ 3. That if any person or persons receiving such license, shall suffer, cause, or permit any gaming at such table or tables or shall knowingly suffer the laws of this Commonwealth, enacted for the prevention of gaming, to be infringed or violated by any person or persons present at such table or tables so licensed, they shall forfeit their said license obtained under the provisions of this act, and also shall forfeit and pay the sum of two hundred dollars fine for each offence, which fine or fines, upon conviction, shall be paid to the informer or prosecutor.

§ 4. That all offenses against this act shall be cognizable as misdemeanors before any court having cognizance of misdemeanors, in any county where such offense or offenses may occur.

§ 5. It shall be the duty of the County Court Clerk, or Clerk of the Council of any incorporated city, to file the Sheriff's receipt or receipts, for all the license money received under the provisions of this act, and by the first day of September, in each year, copy and forward to the Second Auditor, a full and complete list of the same; and it shall also be the duty of the Sheriff, by the first day of September, in each year, to make a similar return. The Clerks, for making the order and issuing the license contemplated by this act, shall be allowed the sum of fifty cents, to be paid by the person or persons to whom said license is granted; and the Sheriff shall be allowed one per cent. for collecting and paying over; and the Sheriff shall pay into the Treasury all moneys collected under this act at the same time the revenue is paid, and be subject to the same penalties in case of failure to pay.

And the question being taken on ordering said bill to be read a second time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	Strother D. Mitchell,
James M. Alexander,	Bernard H. Garrett,	Morton P. Moore,
William W. Alexander,	Samuel L. Geiger,	George H. Morrow,
James B. Allen,	Cyrenius W. Gilmore,	Joel Murphy,
Robert A. Athey,	Alfred F. Graham,	William B. Murphy,

R. Tarvin Baker,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George R. Burgess,
Daniel Cain,
Wm. H. Calvert,
Robert H. Campbell,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—68.

Those who voted in the negative, were

Henry R. D. Coleman,
Asbury Dawson,
Richard H. Field,
John G. Gooch,
William M. Green,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Benjamin L. Owens,
Joel Owsley,
Thomas W. Riley,
Christopher C. Rogers,
Joseph W. Rowlett,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Elisha F. Wells—19.

Mr. Rogers read and laid on the table the following preamble and resolution, viz:

Whereas, Thomas H. Barlow, by his petition to this Legislature, has offered "to make over to the State of Kentucky, for the benefit of all her people, the free use of his invention called the Planetarium, to illustrate the motions of the Planetary bodies, without any charge for the patent privilege; and further offers to bind himself to furnish said instrument correctly and handsomely made to all the District Schools in this State, that apply for them, at their actual cost:" Now, in consideration of the purchase of said patent right privilege to be used exclusively in the State of Kentucky, and to enable said Thomas H. Barlow to exhibit his Planetarium instrument at the great "Industrial Fair to be held at London, in the year 1851:"

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor be, and he is hereby, directed to draw his warrant upon the Treasuser of the State of Kentucky, for the sum of five hundred dollars, in favor of Thomas H. Barlow: *Provided*, That said warrant shall not issue until said Barlow executes a written transfer of the patent right of said instrument, for the use and privilege of all the citizens of this State, to be used only within the State, and shall execute bond with good security, conditioned to expend said five hundred dollars, or so much thereof as may be necessary, to enable him to exhibit said machine at said Industrial Fair—said bond and transfer are to be approved by the Attorney General before said warrant is to issue.

Mr. Kavanaugh read and laid on the table the following preamble and resolutions, viz:

Whereas, the late law of Congress, granting bounty lands to certain officers and soldiers who have been engaged in the military service of the United States, has been construed to give but one warrant to any soldier, though such soldier may have performed sundry tours of duty, in the manner specified in said act: and whereas, the certificates or warrants which may issue to the soldier under said act have been decided not to be assignable. Therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That each officer and soldier should receive bounty land for each distinct term of service he may have performed, in such quantity as is given by said act for any such term of duty, and that any act of Congress, giving land in proportion to the duration of any single tour, without, at the same time, extending the bounty to any and all other tours of duty which may have been performed by the officer or soldier, results in manifest injustice and inequality.

2. *Resolved*, That it would greatly redound to the interest, convenience, and benefit of the said officers and soldiers, to allow them to sell and assign their certificates or warrants, at any time after they shall issue.

3. *Resolved*, That our Senators and Representatives in Congress be requested to use their best efforts and influence for such modification of the law as will accomplish the above objects, and that copies of these resolutions be sent to each of them by the Governor.

The rule of the House requiring joint rseolutions to lie one day on the table, having been dispensed with, the said preamble and resolutions were twice read and concurred in.

Mr. Morrow moved the following resolution, viz:

Resolved, That the committee on Education be directed to ascertain and report to this House, by resolution or otherwise, what legislation, it any, is necessary to secure the payment of the interest on the School Fund.

Which was adopted.

Mr. Williams, of Bourbon, moved the following resolution, viz:

Resolved, That the committee on Revised Statutes be instructed to inquire into the extent of the powers of the Commissioners to revise and arrange the Statute Laws of this Commonwealth, and whether said Commissioners have authority given them in revising and arranging the Statute Laws of this Commonwealth, to propose amendments to the law as it now is, and that said committee report by resolution or otherwise.

Which was adopted.

Mr. Linn moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of bringing in a bill to regulate the fees of Master Commissioners in Chancery, and report to this House.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lewis—1. A bill to incorporate Tompkins Lodge, No. 178, of Ancient York Masons.

On motion of same—2. A bill to incorporate Edmonson Division, No. 129, Sons of Temperance.

On motion of Mr. Field—3. A bill to amend an act, entitled, an act to authorize the construction of Plank, Stone, and Gravel Turnpike Roads in this Commonwealth, approved 7th March, 1850.

On motion of Mr. Burgess—4. A bill for the benefit of Charles Rice, late Sheriff of Carter county.

On motion of Mr. Wooldridge—5. A bill in reference to the Christian, Todd, and Logan Turnpike Road

On motion of Mr. McFarland—6. A bill to increase the taxes on Bowling Saloons and Ten-Pin Alleys.

On motion of Mr. Athey—7. A bill to change the time of holding the Court of Claims in Fayette county.

On motion of Mr. Rogers—8. A bIll to allow citizens of Kentucky to sell articles manufactured by themselves without license.

On motion of Mr. Hord—9. A bill to incorporate the Frankfort Female College.

On motion of Mr. Gray—10. A bill to abolish the office of Second Auditor.

On motion of Mr. Williams, of Hancock—11. A bill to provide for the qualification of Sheriffs.

On motion of Mr. G. P. Brown—12. A bill to change the law in relation to the Seminary lands in Laurel county.

On motion of same—13. A bill to incorporate McKee Lodge, No. 144, of Free and Accepted Masons.

On motion of Mr. Logan—14. A bill to incorporate the German Roman Catholic St. Alphonsas Liebesbund Benevolent Society, of Louisville.

Ordered, That Messrs. Lewis, Leslie, and T. Todd, prepare and bring in the 1st and 2d; the committee on Internal Improvement the 3d and 5th; Messrs. Burgess, Dulin, and Moore, the 4th; the committee on Ways and Means the 6th and 8th; Messrs. Athey, Rogers, and Metcalfe, the 7th; the committee on Education the 9th and 12th; Messrs. Gray, Riley, Heady, and Rowlett, the 10th; the committee on County Courts, the 11th; Messrs. G. P. Brown, Ward, and Gilmore, the 13th, and the committee on Religion the 14th.

Mr. Leslie moved the following resolution, viz:

Inasmuch as the Judicial Districts for Circuit Courts in this Commonwealth, are to be laid off and established with a due regard to the population in every county of this State, and there being no means of ascer-

taining what is the population of the several counties at this time, except the returns of the Deputy Marshals to J. S. Speed, Marshal of the United States for the District of Kentucky. Therefore,

Resolved, That a committee of three members of this House be appointed, whose duty it shall be to open a correspondence with said Marshal, and procure from him a statement showing the population of each county in this Commonwealth, as reported to him by the Deputy Marshals aforesaid, within the year 1850, and that said committee shall make report at their earliest convenience.

The question was then put on the adoption of said resolution, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole on the bill concerning free negroes and mulattoes, Mr. McFarland in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

WEDNESDAY, NOVEMBER 27, 1850.

The Speaker laid before the House the response of the Second Auditor to a resolution of this House of the 25th instant, which is as follows, viz:

OFFICE OF THE SECOND AUDITOR,
November 26, 1850.

To the Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: In answer to a resolution of the House of Representatives of yesterday, I give below a statement of the amount of money drawn from the Treasury of Kentucky, each year, for the last ten years, for taking in the taxable property of this Commonwealth, viz:

For the year ending 19th October, 1841, - - -	$16,040 05
For the year ending 10th October, 1842, - - -	9,278 27
For the year ending 10th October, 1843, - - -	13,850 16
Amount carried forward, - - - - -	$39,168 48

Amount brought forward, - - - - -	$39,168 48
For the year ending 10th October, 1844, - - -	13,113 02
For the year ending 10th October, 1845, - - -	13,540 49
For the year ending 10th October, 1846, - - -	13,521 89
For the year ending 10th October, 1847, - - -	14,770 32
For the year ending 10th October, 1848, - - -	14,023 18
For the year ending 10th October, 1849, - - -	15,868 45
For the year ending 10th October, 1850, - - -	16,661 14
Total amount, - - - - - - - -	$140,666 97

I am, very respectfully,
THO. S. PAGE, *2d Auditor.*

Mr. Dulin presented the remonstrance of sundry citizens of Flemingsburg, against granting the petition of J. C. Wilson, which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Mr. Desha, from the committee on Claims, to whom was referred a bill for the benefit of W. G. Andrews Looman, a lunatic, of Fleming county, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Desha, from the same committee, to whom was referred the petition of William Loewenthal, asked to be discharged from the further consideration of the same.

Mr. Bradley moved that said committee prepare and bring in a bill in accordance with the prayer of said petition.

And the question being taken thereon, it was decided in the affirmative.

Mr. Desha, from the same committee, to whom was referred the petition of H. B. Ingels, asked to be discharged from the further consideration of the same, which was granted.

Mr. Desha, from the same committee, to whom was referred a bill for the benefit of William Milbourne, Jailer of Marion county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hord, from the committee on the Judiciary, to whom was referred leave to bring in a bill to regulate the jurisdiction, and to provide for and fix the compensation of the Presiding Judges of County Courts, asked to be discharged from the further consideration of the same.

Ordered, That the committee on County Courts prepare and bring in the same.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to repeal part of an act to permit the citizens of Louisa to vote for or against tavern licenses, and for other purposes.

By the committee on the Judiciary—2. A bill for the benefit of Jacob S. White, of Madison county.

By same—3. A bill for the benefit of Edmund Curd, of Calloway county.

By the committee on Internal Improvement—4. A bill to regulate the rate of toll at the toll gate, near the town of Paris, on the Turnpike Road leading from Paris to Winchester.

By same—5. A bill to authorize the location of a toll gate near the town of Centreville, on the Turnpike Road from Georgetown to Paris.

By the committee on County Courts—6. A bill to organize County Courts in the several counties.

By Mr. Riley—7. A bill for the benefit of the town of Bloomfield.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, and 7th bills were severally ordered to be engrossed and read a third time, and the 6th was referred to a committee of the whole, and made the special order of the day for the 10th day of December next.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 6th bill for the use of the members of the General Assembly.

Mr. Williams, of Hancock, from the committee on County Courts, to whom was referred a bill to fix the salaries of County Judges, and regulate the jurisdiction of the County Courts, reported the same without amendment.

Ordered, That said bill be referred to the committee of the whole and made the special order of the day for the 13th day of December next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Leslie, from the same committee, to whom was referred a bill providing for laying off the several counties of this State into Justices Districts, reported the same with an amendment.

Ordered, That said bill and amendment be referred to a committee of the whole, and made the special order of the day for the 30th instant.

The House again resumed the consideration of the resolution moved by Mr. Leslie on yesterday.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Preston and Leslie, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Joseph H. Lewis,
Wm. W. Alexander,	Cyrenius W. Gilmore,	Joel Murphy,
Robert A. Athey,	John G. Gooch,	Joel Owsley,
Wm. Beeler,	Alfred F. Graham,	Thomas W. Riley,
Wm. S. Black,	Wm. H. Grainger,	John Rodman,
Carlo B. Brittain,	Wm. M. Green,	John L. Sallee,
George P. Brown,	William Harris,	Basil G. Smith,
John B. Bruner,	Lysander Hord,	Thomas W. Varnon,
William H. Calvert,	Samuel B. Jesup,	William T. Ward,
Winston J. Davie,	Samuel A. Kingman,	Elisha F. Wells,
Edward F. Dulin,	Daniel Landes,	James T. Woodward,
Robert English,	Preston H. Leslie,	Edmund Wooldridge—37.
Edgar B. Gaither,		

Those who voted in the negative, were

James M. Alexander,	Norvin Green,	Wm. B. Murphy,
James B. Allen,	Thomas S. Grundy,	Benjamin L. Owens,
R. Tarvin Baker,	George M. Hampton,	Julian N. Phelps,
Wm. Bradley,	P. B. Hawkins,	Wm. Preston,
George I. Brown,	Randall G. Hays,	Edward C. Purdy,
Daniel Cain,	George W. Kavanaugh,	Burwell C. Ritter,
Robert H. Campbell,	Hiram Klette,	Christopher C. Rogers,
Alexander P. Churchill,	Peter Lashbrooke,	Joseph W. Rowlett,
Henry R. D. Coleman,	Andrew S. Linn,	John Shawhan,
John W. Cook,	George W. Mansfield,	George W. Silvertooth,
Asbury Dawson,	Daniel Matthewson,	Ambrose H. Talbott,
Lucius Desha,	Hiram McElroy,	Jesse S. Taylor,
Joseph Dougherty,	John S. McFarland,	John F. Todd,
Richard H. Field,	James P. Metcalfe,	Thomas Todd,
Wm. H. Gardner,	Strother D. Mitchell,	John Tompson,
Samuel L. Geiger,	Morton P. Moore,	G. W. Williams, of B.
Wm. M. Gray,	George H. Morrow,	G. W. Williams, of H—51.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to enable the Governor to carry into effect the provisions of the charter of the Southern Bank of Kentucky.

The said bill was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Joel Murphy,
James M. Alexander,	Cyrenius W. Gilmore,	William B. Murphy,
William W. Alexander,	John G. Gooch,	Benjamin L. Owens,
James B. Allen,	Alfred F. Graham,	Joel Owsley,
Robert A. Athey,	William H. Grainger,	Julian N. Phelps,
R. Tarvin Baker,	William M. Gray,	William Preston,
William Beeler,	Norvin Green,	Edward C. Purdy,
William S. Black,	William M. Green,	Thomas W. Riley,
William Bradley,	Thomas S. Grundy,	Burwell C. Ritter,
Carlo B. Brittain,	William Harris,	John Rodman,
George I. Brown,	P. B. Hawkins,	Christopher C. Rogers,
George P. Brown,	Randall G. Hays,	Joseph W. Rowlett,
John B. Bruner,	Lysander Hord,	John Shawhan,
George R. Burgess,	Samuel B. Jesup,	George W. Silvertooth,
Daniel Cain,	George W. Kavanaugh,	Basil G. Smith,
William H. Calvert,	Samuel A. Kingman,	Albert G. Talbott,
Robert H. Campbell,	Hiram Klette,	Ambrose H. Talbott,
Alexander P. Churchill,	Daniel Landes,	Jesse S. Taylor,
Henry R. D. Coleman,	Peter Lashbrooke,	John F. Todd,
John W. Cook,	Preston H. Leslie,	Thomas Todd,
Winston J. Davie,	Joseph H. Lewis,	John Tompson,
Asbury Dawson,	Andrew S. Linn,	Thomas W. Varnon,
Lucius Desha,	George W. Mansfield,	William T. Ward,
Joseph Dougherty,	Daniel Matthewson,	Elisha F. Wells,
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of B.
Robert English,	James P. Metcalfe,	G. W. Williams, of H.
Richard H. Field,	Strother D. Mitchell,	James T. Woodward,
William H. Gardner,	Morton P. Moore,	Edmund Wooldridge—86.
Bernard H. Garrett,	George H. Morrow,	

In the negative, none.

The House again resolved itself into a committee of the whole on the bill concerning free negroes and mulattoes, Mr. McFarland in the Chair ; and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, with sundry amendments, which he handed in at the Clerk's table.

On motion of Mr. Preston,

Ordered, That said bill and amendments be referred to Messrs. A. G. Talbott, Preston, Taylor, T. Todd, McElroy, Rogers, Gaither, Harris, N. Green, and Williams, of Bourbon, and that they report said bill to this House on Monday next, at 12 o'clock, M.

Mr. R. H. Campbell moved the following resolution, viz:

Resolved, That when this House adjourns, it will adjourn to meet on Friday next, at 10 o'clock, A. M.

Which was adopted.

The Speaker appointed Messrs. T. Todd, Athey, and J. M. Alexander, the committee on the part of this House to visit the Institution of the Blind, and the Marine Hospital, at Louisville.

The Speaker appointed Messrs. Cook, Bruner, Leslie, Gardner, and Grainger, the committee on the part of this House to visit the Lunatic Asylum, and examine Transylvania University, at Lexington.

The Speaker appointed Messrs. N. Green, Baker, Lewis, Gaither, and Taylor, the committee on the part of this House to visit the Deaf and Dumb Asylum, at Danville.

And then the House adjourned.

FRIDAY, NOVEMBER 29, 1850.

A message was received from the Senate, announcing that they had passed bills and a resolution from this House of the following titles, viz:

An act to repeal an act for the benefit of James Cunningham, of Trigg county.

An act to repeal in part an act, entitled, an act authorizing mill dams to be built across John's creek.

A resolution in regard to a law of Congress granting bounty lands to certain officers and soldiers.

That they had passed bills of the following titles, viz:

An act for the benefit of Henry J. Mead.

An act to incorporate a Company to construct a bridge across the Ohio river, at Louisville.

An act to incorporate the Deposit Bank of Covington.

An act for the benefit of William Williams, Clerk of Owsley county.

Mr. Gilmore presented the petition of the Trustees of Pulaski Seminary, and sundry citizens of said town, praying for a sale of the Seminary lot in said town, and the proceeds to be vested in other property, which was received, the reading dispensed with, and referred to the committee on Education.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Mitchellsville and Dry Creek Plank Road Company.

An act for the benefit of the Clerks of the Circuit and County Courts of this Commonwealth.

An act to amend an act, entitled, an act to amend the act to establish a Female Academy in the town of Harrodsburg, approved January 28, 1848.

An act to amend the various acts in relation to Turnpike Roads in the counties of Washington and Marion.

An act to enable the Governor to carry into effect the provisions of the charter of the Southern Bank of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

Mr. Desha, from the committee on Claims, to whom was referred leave to bring in a bill for the benefit of School District No. 8, in Kenton county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on Education prepare and bring in the same.

Mr. Hord, from the committee on the Judiciary, to whom was referred the petition of William Joshua Barney and wife, asked to be discharged from the further consideration of the same, which was granted.

Mr. G. I. Brown, from the committee on Agriculture and Manufactures, to whom was referred the memorial of Denton Offutt, asked to be discharged from the further consideration of the same, which was granted.

Mr. Grundy, from the committee on the Library, made the following report, viz:

The committee on the Library, having been instructed by joint resolution to inquire, "whether or not there be a State Librarian, the present condition of the State Library, and what action, if any, they deem necessary in the premises"—have had the resolution under consideration, and made the required investigation: We ask leave to report, that Mr. Richard Harlan, the State Librarian, was duly elected at the last session of the Legislature, and now has charge of the Library. We found the Library in good condition, and no further action, at present, in the opinion of the committee, is deemed necessary.

JOSHUA BUSTER, *Ch'n. Sen. Com.*
T. S. GRUNDY, *Ch'n. H. R. Com.*

Mr. Desha, from the committee on Claims, who were appointed to

prepare and bring in the same, reported a bill for the benefit of William Loewenthal, which was read the first time as follows, viz:

Whereas, it is represented to this General Assembly, that, in the month of July last, William Loewenthal paid to the Clerk of the Hopkins County Court, twenty dollars for the privilege of selling goods in said county as a peddler or itinerant merchant for the term of one year, but in consequence of continued bad health has been prevented from availing himself of the benefit of said privilege: Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor be and he is hereby directed to issue his warrant on the Treasurer, in favor of said William Loewenthal, for the sum of twenty dollars.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Linn and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Morton P. Moore,
James M. Alexander,	Alfred F. Graham,	George H. Morrow,
Robert A. Athey,	William H. Grainger,	Julian N. Phelps,
William Beeler,	William M. Green,	William Preston,
William Bradley,	George M. Hampton,	Edward C. Purdy,
George R. Burgess,	P. B. Hawkins,	Burwell C. Ritter,
Daniel Cain,	Samuel B. Jesup,	John Rodman,
William H. Calvert,	George W. Kavanaugh,	Christopher C. Rogers,
John W. Cook,	Hiram Klette,	George W. Silvertooth,
Winston J. Davie,	Peter Lashbrooke,	Albert G. Talbott,
Joseph Dougherty,	Caleb W. Logan,	John F. Todd,
Richard H. Field,	George W. Mansfield,	Thomas W. Varnon,
William H. Gardner,	Hiram McElroy,	George W. Williams, of B.
Bernard H. Garrett,	James P. Metcalfe,	Edmund Wooldridge—42.

Those who voted in the negative, were

R. Tarvin Baker,	Thomas S. Grundy,	Thomas W. Riley,
William S. Black,	Randall G. Hays,	Joseph W. Rowlett,
George I. Brown,	Stilwell Heady,	John L. Sallee,
John B. Bruner,	Samuel A. Kingman,	Basil G. Smith,
Henry R. D. Coleman,	Preston H. Leslie,	Ambrose H. Talbott,
Asbury Dawson,	Joseph H. Lewis,	Jesse S. Taylor,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Edward F. Dulin,	Daniel Matthewson,	John Tompson,
Robert English,	John S. McFarland,	William T. Ward,
Cyrenius W. Gilmore,	Strother D. Mitchell,	Elisha F. Wells,
John G. Gooch,	Joel Murphy,	G. W. Williams, of H.
William M. Gray,	Benjamin L. Owens,	James T. Woodward—38.
Norvin Green,	Joel Owsley,	

Resolved, That the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—A bill for the benefit of William Harman.

By same—A bill for the benefit of David Howell, and others.

By the committee on the Judiciary—A bill for the benefit of John Taylor Crook, of Mason county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. G. I. Brown, from the committee on Agriculture and Manufactures, to whom was referred a bill to authorize the Governor to cause to be made a geological survey of this State, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

On motion of Mr. A. H. Talbott, leave was given to bring in a bill to provide for the payment of Jurors who try cases before magistrates.

Ordered, That Messrs. A. H. Talbott, Rodman, and A. G. Talbott prepare and bring in the same.

Mr. Morrow moved the following resolution, viz:

Resolved, That from and after this day, the time for the meeting of this House shall be 9 o'clock, A. M.

Which was adopted.

The House took up the preamble and resolution proposed by Mr. Rogers, from the committee on Education, on Tuesday last.

Mr. Dulin moved to amend the resolution, by adding after the words "written transfer," the following:

"In the manner pointed out by the laws of the United States, for the transfer of the right of the patent."

And the question being taken on the adoption of said amendment it was decided in the affirmative.

The question was then taken on the adoption of said preamble and resolution, as amended, and decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	William Preston,
James B. Allen,	John G. Gooch,	Thomas W. Riley,
Robert A. Athey,	William H. Grainger,	Christopher C. Rogers,
R. Tarvin Baker,	P. B. Hawkins,	Jesse S. Taylor,

George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Alexander P. Churchill,
Winston J. Davie,
Robert English,
Wm. H. Gardner,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Caleb W. Logan,
Strother D. Mitchell,
Joel Murphy,
John F. Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
George W. Williams, of B.
George W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—36.

Those who voted in the negative, were

Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
Daniel Cain,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Richard H. Field,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
John Tompson—46.

Mr. N. Green moved a reconsideration of said vote.

Ordered, That the further consideration of said motion be postponed until Monday next.

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, Nov. 29, 1850.

Gentlemen of the Senate, and
House of Representatives:

I have the honor to transmit herewith a copy of the preamble and resolutions adopted by the Constitutional Convention of the State of Indiana, in relation to the death of our lamented fellow-citizen, Col. Richard M. Johnson.

JOHN L. HELM.

INDIANAPOLIS, INDIANA,
November 25, 1850.

His Excellency, John L. Helm,
Governor of the State of Kentucky:

I have the honor to transmit herewith a copy of the preamble and resolutions this day adopted by the Constitutional Convention of this State, in relation to the death of one of Kentucky's distinguished sons—the lamented Johnson.

Very respectfully,
WM. H. ENGLISH, *Sec. C. C.*

Whereas, this Convention has just learned, with profound sensibility, that the Hon. Richard M. Johnson, of Kentucky, late Vice President of

the United States, has recently, and whilst engaged in the service of his native State, as a member of the General Assembly thereof, departed this life: and, whereas, the numerous long continued public services of that distinguished patriot and soldier, as well in the councils of his country as in the tented field, constitutes him the common property of the whole country, and justly entitle his memory to the grateful notice of the people of this State, in common with the rest of his fellow-citizens of the Union, and more especially when it is remembered that a part of the services rendered by him, whilst engaged in the defence of his country in the war of 1812 against Great Britain and her savage allies, were performed upon the soil of Indiana, when an infant defenceless Territory, in defending our helpless women and children against the relentless tomahawk and scalping knife of the ruthless savage.

Resolved, That we recognize in Col. Johnson the gallant soldier, the devoted patriot, and sound able statesman. That among the long list of his public acts whilst engaged in the National Councils, his zealous efforts in favor of abolishing imprisonment for debt, together with his masterly Sunday mail report, will remain as imperishable monuments of his profound statesmanship, so long as the sufferings of the oppressed, down-trodden debtor find sympathy in the human bosom, or the cause of liberal principles has an advocate.

Resolved, That whilst cherishing a just sense of gratitude toward thi distinguished citizen for his many important public services, rendered in behalf of his country during the course of a long public life, as the able, faithful statesman and brave soldier, we most sincerely condole with his numerous friends and relatives in the irreparable bereavement they have sustained in the loss of an affectionate and devoted friend, and with our sister State, Kentucky, in being thus deprived of his valuable services in her public councils.

Resolved, That Messrs. Thornton, Pepper, of Ohio, and Rariden, be appointed a committee on the part of this Convention, to tender to the relatives of Col. Johnson, the expression of our heartfelt condolence on the melancholy occasion; and that the Secretary of this Convention transmit to the Executive of the State of Kentucky, a copy of the foregoing preamble and resolutions.

Resolved, That the editors of the several newspapers in this State, be requested to publish the foregoing in their papers respectively.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act for the benefit of the Common School Commissioners of Monroe county.

An act to run and re-mark the dividing line between the counties of Butler and Edmonson.

An act to incorporate the Elizaville and Helena Turnpike Road Company.

Were taken up, twice read, and concurred in.

Resolutions from the Senate of the following titles, viz:

1. A resolution in relation to the funeral discourse delivered on the death of Col. R. M. Johnson.

2. A resolution directing an examination into the condition of Transylvania University.

Were taken up, twice read, and concurred in.

Whereupon, Messrs. Desha, McElroy, and Grundy, were appointed the committee on the part of this House in pursuance of the first resolution.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Flemingsburg and Upper Fox Springs Turnpike Road Company.

2. An act for the benefit of the Funk Seminary and Masonic University, at LaGrange.

3. An act to incorporate the Hawesville Cemetery Company.

4. An act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

5. An act to establish a Police Court in the town of Hardinsburg.

6. An act to incorporate the Maysville and Big Sandy Railroad Company.

7. An act in relation to the Florence Academy, in Boone county.

8. An act for the benefit of William Williams, Clerk of Owsley county.

9. An act to incorporate the Deposit Bank of Covington.

10. An act to incorporate a Company to construct a bridge across the Ohio river, at Louisville.

11. An act for the benefit of Henry J. Mead.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, and 8th, were severally ordered to be read a third time, the 6th and 10th were referred to the committee on Internal Improvement, the 7th to the committee on Education, the 9th to the committee on Banks, and the 11th to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, and 8th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill to authorize the licensing of billiard tables was read the second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the Mayor and Council of any incorporated city of this Commonwealth, or for any County Court of this State, to grant license for the establishment and erection of billiard tables therein, upon the following terms, and under the following restrictions, to-wit:

§ 2. That no such license shall be issued to any person or persons, unless such person or persons shall pay to the Sheriff of the county the sum

of five hundred dollars for each table licensed, and take the Sheriff's receipt for the same; upon the production of which receipt to the County Court or City Council, shall entitle the person or persons applying for the same, to a license to erect and keep a billiard table or tables for the term of one year: *Provided*, that at the several watering places in this State, billiard tables may be licensed in the same manner for a shorter period than one year, by the payment of one hundred dollars per month.

§ 3. That if any person or persons receiving such license, shall cause, suffer, or permit any gaming at such table or tables or shall knowingly suffer the laws of this Commonwealth, enacted for the prevention of gaming, to be infringed or violated by any person or persons present at such table or tables so licensed, they shall forfeit their said license obtained under the provisions of this act, and also shall forfeit and pay the sum of two hundred dollars fine for each offense, which fine or fines, upon conviction, shall be paid to the informer or prosecutor.

§ 4. That all offenses against this act shall be cognizable as misdemeanors before any court having cognizance of misdemeanors, in any county where such offense or offenses may occur.

§ 5. It shall be the duty of the County Court Clerk, or Clerk of the Council of any incorporated city, to file the Sheriff's receipt or receipts, for all the license money received under the provisions of this act, and by the first day of September, in each year, copy and forward to the Second Auditor, a full and complete list of the same; and it shall also be the duty of the Sheriff, by the first day of September, in each year, to make a similar return. The Clerks, for making the order and issuing the license contemplated by this act, shall be allowed the sum of fifty cents, to be paid by the person or persons to whom said license is granted; and the Sheriff shall be allowed one per cent. for collecting and paying over; and the Sheriff shall pay into the Treasury all moneys collected under this act at the same time the revenue is paid, and be subject to the same penalties in case of failure to pay.

Mr. Riley moved to amend said bill by adding the following, viz:

That if any money, or other thing of value, shall be betted, or played for, or won, or lost, upon any billiard table licensed under this act, it shall be *prima facie* evidence that the the same was done with the knowledge and consent of the owners and keepers of such table, and the burden of proof shall rest upon such owner or keeper to show that the same was not done with his or their knowledge and consent.

Mr. Rowlett moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Owsley,
James B. Allen,	Alfred F. Graham,	Julian N. Phelps,
R. Tarvin Baker,	William M. Gray,	Thomas W. Riley,
William Beeler,	William M. Green,	Burwell C. Ritter,

William S. Black,	P. B. Hawkins,	John Rodman,
William Bradley,	Randall G. Hays,	Joseph W. Rowlett,
Carlo B. Brittain,	Stilwell Heady,	John L. Sallee,
George I. Brown,	Hiram Klette,	George W. Silvertooth,
George P. Brown,	Peter Lashbrooke,	Basil G. Smith,
John B. Bruner,	Andrew S. Linn,	Ambrose H. Talbott,
George R. Burgess,	George W. Mansfield,	Jesse S. Taylor,
Daniel Cain,	Daniel Matthewson,	John F. Todd,
William H. Calvert,	Hiram McElroy,	John Tompson,
Henry R. D. Coleman,	James P. Metcalfe,	William T. Ward,
Asbury Dawson,	Strother D. Mitchell,	Elisha F. Wells,
Lucius Desha,	Morton P. Moore,	G. W. Williams, of B.
Joseph Dougherty,	Joel Murphy,	James T. Woodward—53.
Richard H. Field,	Benjamin L. Owens,	

Those who voted in the negative, were

James M. Alexander,	Cyrenius W. Gilmore,	Caleb W. Logan,
Robert A. Athey,	William H. Grainger,	John S. McFarland,
Alexander P. Churchill,	Norvin Green,	George H. Morrow,
John W. Cook,	Thomas S. Grundy,	William Preston,
Winston J. Davie,	George M. Hampton,	Edward C. Purdy,
Edward F. Dulin,	Lysander Hord,	Christopher C. Rogers,
Robert English,	Samuel B. Jesup,	Thomas Todd,
William H. Gardner,	George W. Kavanaugh,	Thomas W. Varnon,
Bernard H. Garrett,	Preston H. Leslie,	G. W. Williams, of H.
Samuel L. Geiger,	Joseph H. Lewis,	Edmund Wooldridge—30.

Mr. Athey moved the following resolution, viz:

Resolved, That Madame Rank be allowed the use of this Hall on Saturday evening next, for the purpose of giving a musical concert.

Which was adopted.

And then the House adjourned.

SATURDAY, NOVEMBER 30, 1850.

Mr. McElroy moved a reconsideration of the vote on yesterday adopting the resolution moved by Mr. Morrow.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the negative; and so the said resolution was rejected.

Mr. G. I. Brown presented the petition of sundry citizens of Jessamine

county, praying the Legislature to grant the memorial of the Kentucky Colonization Society, which was received, read, and referred to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell.

Mr. A. H. Talbott moved a reconsideration of the vote, laying on the table the bill to authorize the licensing of billiard tables, and the amendment proposed thereto by Mr. Riley.

On motion of Mr. T. Todd,

Ordered, That the further consideration of said motion be postponed until Tuesday next.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill to regulate the compensation to the collectors of the revenue, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Privileges and Elections—1. A bill to regulate elections, and to provide against fraudulent voting.

By Mr. Burgess—2. A bill for the benefit of Charles Rice, of Carter county.

By Mr. Moore—3. A bill to extend the limits of the town of Proctor, in Owsley county.

By Mr. Dulin—4. A bill to divide each county into election precincts.

By the committee on the Court of Appeals—5. A bill concerning the Court of Appeals.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee of the whole, and made the special order of the day for the 6th of December next; the 2d and 3d were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Privileges and Elections, and the 5th was referred to a committee of the whole, and made the special order of the day for the 10th day of December next.

The rule of the House, constitutional provision, and third reading of the 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st and 5th bills for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Owsley—1. A bill to run and mark the line between the counties of Adair and Cumberland.

On motion of Mr. Dulin—2. A bill to incorporate the Savings Bank of Fleming county.

On motion of same—3. A bill to amend the penal laws.

Ordered, That Messrs. Owsley, Sallee, and A. G. Talbott, prepare and bring in the 1st; the committee on Banks the 2d, and the committee on the Judiciary the 3d.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act to authorize the Police Judge of Somerset to grant injunctions.

An act to repeal an act, entitled, an act to reduce into one the several acts concerning the town of Cynthiana.

An act for the benefit of Stephen Moody, of Monroe county.

An act to incorporate Bedford Division, No. 159, Sons of Temperance.

That they had passed bills of the following titles, viz:

An act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables.

An act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the Clerks of the Circuit and County Courts of this Commonwealth.

An act to enable the Governor to carry into effect the provisions of the charter of the Southern Bank of Kentucky.

An act to amend the various acts in relation to Turnpike Roads in the counties of Washington and Marion.

An act to amend an act, entitled, an act to amend the act to establish a Female Academy in the town of Harrodsburg, approved January 28, 1848.

An act to incorporate the Mitchellsville and Dry Creek Plank Road Company. Approved November 29, 1850.

Mr. Field, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson.

An act to incorporate Boone Lodge, No. 1, Independent Order of Odd Fellows, Louisville.

An act for the benefit of the Trustees of School District No. 3, in Todd county.

An act for the relief of Francis Hillary.

An act to authorize the Clerk of the Ohio County Court to transcribe and index certain records in his office.

An act to incorporate Cumberland Lodge, No. 149.

An act for the benefit of William Slusher.

An act for the benefit of Samuel Haycraft.

An act to incorporate the Maxwell Spring Company, at Lexington.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

A bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Internal Improvement, and that they report said bill to this House on Wednesday next, at 12 o'clock, M.

The House then resolved itself into a committee of the whole on the bill providing for laying off the several counties of this State into Justices' Districts, and the amendment proposed thereto, Mr. J. F. Todd in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Todd reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report the said bill and amendment to the House, without amendment, which he handed in at the Clerk's table.

Ordered, That said bill and amendment be re-committed to the committee of the whole for this day.

A bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole for this day.

The House then resolved itself into a committee of the whole on the bill providing for laying off the several counties of this State into Justices' Districts, and the amendment proposed thereto, and the bill from the

Senate, entitled, an act appointing Commissioners to divide the counties of this State into Districts for the election of Justices of the Peace and Constables, Mr. J. F. Todd in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Todd reported that the committee had, according to order, had under consideration said bills and amendment, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Heady read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Benjamin L. Owens be added to the joint committee to visit the Lunatic Asylum, at Lexington.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with,

The said resolution was twice read and concurred in.

Mr. T. Todd moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to Gen. Leslie Combs, on any evening that may suit his convenience, when the House is not in session, to deliver an address on the subject of Rail and Plank Roads.

Mr. Hampton moved to amend said resolution by adding the following, viz:

Resolved, That the use of this Hall be tendered to the Hon. Robert Wickliffe to deliver an address at any time it may suit his convenience, when the House is not in session.

And the question being taken on adopting said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

And then the House adjourned.

MONDAY, DECEMBER 2, 1850.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Louisa, Paintsville, Prestonburg, and Pikeville Turnpike Road Company.

A bill to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

With amendments to the last named bill.

That they had passed a bill and resolutions of the following titles, viz:

An act for the benefit of Henry Academy, and Henry Female College.

A resolution in relation to the action of the Indiana Convention concerning the death of Col. R. M. Johnson.

Resolutions relating to the exhibition of the Planetarium of Thomas H. Barlow, at the London Industrial Exhibition.

A resolution providing for a recess of the General Assembly.

1. Mr. Silvertooth presented the petition of Robert W. Walker and I. Dodge, praying the passage of a law permitting the said Walker, who is a minor, to receive and manage his estate.

2. Mr. Garrett presented the petition of Joshua West and Nathan B. Lowe, and sundry citizens of Pike county, praying that compensation be made said West and Lowe for pursuing and bringing back from Virginia, Reuben Reed, charged with shooting a girl named Lowrena Shepherd.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Claims.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garrett—1. A bill for the benefit of Samuel P. Davidson, late Deputy Sheriff of Floyd county.

On motion of Mr. Linn—2. A bill for the benefit of James Ashcraft, of Grant county.

On motion of Mr. Brittain—3. A bill to run and mark the line between the counties of Knox and Harlan.

On motion of Mr. Ritter—4. A bill to repeal an act declaring Whippoorwill a navigable stream.

On motion of Mr. Grainger—5. A bill to incorporate the Hebrew Beneficial Society of Louisville.

On motion of Mr. Leslie—6. A bill for the benefit of John Lyon, of Monroe county.

On motion of Mr. Mitchell—7. A bill to authorize the Trustees of Common School District No. 25, in Montgomery county, to sell certain real estate.

On motion of Mr. Rowlett—8. A bill for the benefit of School District No. 29, in Owen county.

On motion of Mr. T. Todd—9. A bill to authorize the Shelby County Court to subscribe stock in certain Railroads.

On motion of Mr. A. H. Talbott—10. A bill to erect a monument to Col. R. M. Johnson.

On motion of Mr. Sallee—11. A bill for the benefit of Jeremiah Denney, of Wayne county.

On motion of Mr. Kavanaugh—12. A bill repealing any law authorizing the appointment of Assessors in January next.

On motion of Mr. Morrow—13. A bill to legalize the sale of lots in the town of Paducah.

Ordered, That Messrs. Garrett, Silvertooth, and Shawhan, prepare and bring in the 1st; Messrs. Linn, Varnon, and Baker, the 2d; Messrs. Brittain, Moore, and Tompson, the 3d; the committee on Propositions and Grievances the 4th; Messrs. Grainger, Ward, Preston, Wooldridge, and T. Todd, the 5th; Messrs. Leslie, Lewis, and T. Todd, the 6th; the committee on the Judiciary the 7th; Messrs. Rowlett, Gray, Phelps, and Heady, the 8th; Messrs. T. Todd, Lewis, and Leslie, the 9th; Messrs. A. H. Talbott, Payne, Churchill, A. G. Talbott, and Geiger, the 10th; the committee on Claims the 11th; Messrs. Kavanaugh, Desha, Bradley, Landes, and Matthewson, the 12th, and Messrs. Morrow, Varnon, and Calvert, the 13th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Silvertooth—1. A bill authorizing the taking appeals and writs of error to the Court of Appeals in criminal cases.

By Mr. Klette—2. A bill to repeal the act to amend the charter of the Covington and Lexington Railroad Company, approved 4th March, 1850, and also an act supplemental to said act, approved March 6, 1850.

By Mr. Mitchell—3. A bill for the benefit of Sarah Brothers, and her children.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 3d were referred to the committee on the Judiciary, and the 2d to the committee on Internal Improvement.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

Mr. Heady moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the laws relating to lunatics, so as to authorize the Circuit Court to decree the sale of any portion of the real or personal estate of lunatics, for their support and maintenance, or for the payment of debts.

Which was adopted.

Mr. Phelps asked leave to withdraw the petition of Hayten Lindsay, which was granted, and the same was withdrawn.

Mr. Williams, of Bourbon, moved the following resolution, viz:

Resolved, That the committee on Printing be instructed to inquire into the expediency of so changing the law as to the printing and publishing the laws of this Commonwealth, as that only those laws which are of a general character, be printed and published for general distribution, and that said committee report by bill or otherwise.

Which was adopted.

On motion of Mr. Preston,

Ordered, That the Public Printer forthwith print 150 copies of the bill to establish twelve Judicial Circuit Districts.

An engsossed bill, entitled, an act to amend an act, entiled, an act to incorporate the Lexington and Danville Reilroad Company, was read a third time.

And the question being taken on the passage of said bill it was decided in the negative; and so the said bill was rejected.

A message was received from the Senate by Mr. Morgan, announcing that they had appointed a committtee on their part, and requested the appointment of a similar committee on the part of this House, to wait on the Governor, and ask leave to withdraw from him an enrolled bill, which originated in this House, entitled, an act the better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson.

Whereupon, Messrs. Hanson, Garrett, and Wells, were appointed the committee on the part of this House.

A bill from the Senate, entitled, an act for the benefit of Henry Academy and Henry Female College, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on Education.

Mr. Logan moved the following resolution, viz:

Resolved, That a committee of three be appointed to ascertain from the Marshal of this State the population of the respective counties of this State, and also of the city of Louisville.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Mr. A. G. Talbott, from the committee to whom was referred the bill concerning free negroes and mulattoes, reported the same with an amendment as a substitute for the original bill.

Ordered, That said bill and amendment be made the special order of the day for the 10th instant, and that the Public Printer forthwith print 150 copies of said amendment for the use of the members of the General Assembly.

The House again resolved itself into a committee of the whole on the bill providing for laying off the several counties of this State into Justices' Districts, and the amendment proposed thereto, and the bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into Districts for the election of Justices of the Peace and Constables, Mr. J. F. Todd in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Todd reported that the committee had, according to order, had under consideration the bills and amendment aforesaid, and adopted sundry amendments to the bill from the Senate, and had instructed him to report the Senate bill and amendments to the House, which he handed in at the Clerk's table.

Sundry of said amendments were then concurred in.

A message was received from the Senate, by Mr. Morgan, asking leave to withdraw their report announcing the passage of a bill from this House, entitled, an act better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson, which was granted, and the bill was withdrawn.

And then the House adjourned.

TUESDAY, DECEMBER 3, 1850.

A message was received from the Senate, announcing that they had passed bills and a resolution from this House of the following titles, viz:

An act to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington.

An act to change the lines between Perry and Clay counties.

An act to abolish the Stray Pen in Pulaski county.

An act for the benefit of the town of Flemingsburg.

An act for the benefit of the Trustees of Washington.

An act for the benefit of Jacob S. White, of Madison county.

An act for the benefit of Edward Curd, of Calloway county.

An act to regulate the rate of toll at the toll gate near the town of Paris, on the Turnpike Road leading from Paris to Winchester.

An act to authorize the location of a toll gate near the town of Centreville, on the Turnpike Road from Georgetown to Paris.

A resolution to add Benjamin L. Owens to the committee to visit the Lunatic Asylum.

That they had adopted a resolution to add Camden M. Ballard to the committee to visit the Institution of the Blind and Marine Hospital.

1. Mr. Payne presented the petition of James McMillan, praying compensation for apprehending and bringing to justice a free negro, who had abducted slaves from this State.

2. Also, the petition of Lewis Collins, praying the passage of a law to make a Plank Road from Maysville to Bull Creek, in Mason county.

3. Also, the petition of the President and Board of Trustees of East Maysville, praying the passage of a law to allow them to take the vote of the citizens as to the subscription for stock in the Lexington and Maysville Railroad.

4. Also, the petition of Joseph Wallingford, praying for a charter for a Turnpike Road, from Maysville to Mt. Gilead and Mt. Carmell.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims, and the 2d, 3d, and 4th, to the committee on Internal Improvement.

Mr. Desha, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Henry J. Mead, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Strother D. Mitchell,
James M. Alexander,	Cyrenius W. Gilmore,	Morton P. Moore,
James B. Allen,	Alfred F. Graham,	George H. Morrow,
Robert A. Athey,	William H. Grainger,	Joel Murphy,
R. Tarvin Baker,	William M. Gray,	William B. Murphy,
William S. Black,	Norvin Green,	Benjamin L. Owens,
William Bradley,	William M. Green,	Thomas Y. Payne,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	George M. Hampton,	Thomas W. Riley,
George P. Brown,	Samuel Hanson,	John Rodman,
John B. Bruner,	P. B. Hawkins,	Christopher C. Rogers,
George R. Burgess,	Randall G. Hays,	Joseph W. Rowlett,
Daniel Cain,	Stilwell Heady,	John L. Sallee,
William H. Calvert,	Lysander Hord,	John Shawhan,
Robert H. Campbell,	Samuel B. Jesup,	George W. Silvertooth,
Alexander P. Churchill,	George W. Kavanaugh,	Basil G. Smith,
Henry R. D. Coleman,	Samuel A. Kingman,	Albert G. Talbott,

John W. Cook,	Hiram Klette,	Ambrose H. Talbott,
Winston J. Davie,	Daniel Landes,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	Thomas Todd,
Lucius Desha,	Joseph H. Lewis,	William T. Ward,
Joseph Dougherty,	Andrew S. Linn,	Elisha F. Wells,
Edward F. Dulin,	George W. Mansfield,	G. W. Williams, of B.
Robert English,	Daniel Matthewson,	G. W. Williams, of H.
Richard H. Field,	Hiram McElroy,	James T. Woodward,
William H. Gardner,	John S. McFarland,	Edmund Wooldridge—80.
Bernard H. Garrett,	James P. Metcalfe,	

Those who voted in the negative, were

William Beeler,	Joel Owsley,	John Tompson—5.
Preston H. Leslie,	Julian N. Phelps,	

Mr. Desha from the committee on Claims, to whom was referred the petition of Charles G. Morris, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the cmmittee on Ways and Means, viz:

1. A bill to amend ths revenue laws.
2. A bill to repeal the law of specific taxation.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporate the Maysville and Big Sandy Railroad Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the same committee, to whom was referred a bill to amend and reduce into one the several acts to incorporate the Versailles and Midway Turnpike Road Company, reported the same with an amendment in lieu of the original bill, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title be amended to read as follows:

An act to amend the several acts incorporating the Versailles and Midway Turnpike Road Company.

Mr. Baker, from the same committee, to whom was referred a bill from the Senate, entitled, an act to incorporate a company to construct a bridge across the Ohio river at Louisville, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the motion of Mr. A. H. Talbott, of Saturday last, to reconsider the vote laying on the table the bill to authorize the licensing of billiard tables, and the amendment proposed thereto by Mr. Riley.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Mr. T. Todd moved to amend said bill by adding the following, viz:

"That the proceeds from said licenses be placed to the credit of the Sinking Fund."

Mr. Hanson moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel Hanson,	Julian N. Phelps,
Wm. Beeler,	P. B. Hawkins,	Thomas W. Riley,
Wm. Bradley,	Peter Lashbrooke,	John Rodman,
George I. Brown,	George W. Mansfield,	Joseph W. Rowlett,
George P. Brown,	Daniel Matthewson,	George W. Silvertooth,
John B. Bruner,	Hiram McElroy,	Basil G. Smith,
William H. Calvert,	James P. Metcalfe,	Jesse S. Taylor,
Henry R. D. Coleman,	Strother D. Mitchell,	John F. Todd,
Asbury Dawson,	Morton P. Moore,	John Tompson,
Lucius Desha,	George H. Morrow,	William T. Ward,
Joseph Dougherty,	Benjamin L. Owens,	Elisha F. Wells,
Wm. M. Gray,	Joel Owsley,	James T. Woodward—36.

Those who voted in the negative, were

James M. Alexander,	Alfred F. Graham,	Caleb W. Logan,
Wm. W. Alexander,	Wm. H. Grainger,	John S. McFarland,
James B. Allen,	Norvin Green,	Joel Murphy,
Robert A. Athey,	Wm. M. Green,	Wm. B. Murphy,
R. Tarvin Baker,	Thomas S. Grundy,	Thomas Y. Payne,
Wm. S. Black,	George M. Hampton,	Edward C. Purdy,
Daniel Cain,	Stilwell Heady,	Christopher C. Rogers,
Alexander P. Churchill,	Lysander Hord,	John L. Sallee,

John W. Cook,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
John Shawhan,
Ambrose H. Talbott,
Thomas Todd,
Thomas W. Varnon,
G. W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—46.

Mr. T. Todd then withdrew his amendment.

Mr. W. M. Green moved to amend said bill by adding thereto the following, viz:

Provided, That the proceeds arising from said license shall be applied to the Common School Fund.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resumed the consideration of the bill from the Senete, entitled, an act appointing Commissioners to divide the counties of this State into Districts for the election of Justices of the Peace and Constables, and the amendments proposed thereto by the committee of the whole.

The remainder of the amendments proposed to said bill by the committee of the whole, with the exception of one, were then concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then resolved itself into a committee of the whole, on the bill to establish twelve Judicial Circuit Districts, Mr. Bradley in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

WEDNESDAY, DECEMBER 4, 1850.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act for the benefit of the Sheriff of Cumberland county.

That they had passed bills of the following titles, viz:

An act to amend an act to regulate ferries.

An act for the benefit of Edward Artsman, of Bracken county.

Mr. Alvin Duvall, the member returned to serve in this House from the county of Scott, in the place of Richard M. Johnson, deceased, appeared, and having produced a certificate of his election, took the oath required by the constitution, and repaired to his seat.

The House again resumed the consideration of the bill to authorize the licensing of billiard tables, and the amendment proposed thereto on the 29th November, by Mr. Riley.

And the question being taken on the adoption of the amendment it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. W. M. Green, on yesterday, and it was decided in the affirmative.

The question was then taken on engrossing and reading said bill a third time, as amended, and decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. G. I. Brown and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Samuel L. Geiger,	Caleb W. Logan,
William W. Alexander,	Cyrenius W. Gilmore,	Morton P. Moore,
Robert A. Athey,	Alfred F. Graham,	George H. Morrow,
R. Tarvin Baker,	William H. Grainger,	William B. Murphy,
William Beeler,	Norvin Green,	Thomas Y. Payne,
Robert H. Campbell,	Thomas S. Grundy,	Edward C. Purdy,
Alexander P. Churchill,	George M. Hampton,	Christopher C. Rogers,
John W. Cook,	Lysander Hord,	John Shawhan,
Winston J. Davie,	Samuel B. Jesup,	Ambrose H. Talbott,
Edward F. Dulin,	George W. Kavanaugh,	Thomas Todd,
Edgar B. Gaither,	Joseph H. Lewis,	William T. Ward,
William H. Gardner,	Andrew S. Linn,	Edmund Wooldridge—37.
Bernard H. Garrett,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William M. Gray,	Julian N. Phelps,
James B. Allen,	William M. Green,	Thomas W. Riley,
William S. Black,	Samuel Hanson,	Burwell C. Ritter,

William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Daniel Cain,
Wm. H. Calvert,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Richard H. Field,
John G. Gooch,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—53.

The House then took up for consideration the resolution from the Senate providing for a recess of the General Assembly.

Mr. Shawhan moved to amend said resolution by adding the following proviso, viz:

Provided, That during such recess the members and officers of the General Assembly shall receive no pay.

Mr. McElroy moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Shawhan be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shawhan and Desha, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,
Wm. Bradley,
Carlo B. Brittain,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Alfred F. Graham,
Norvin Green,
William M. Green,
George M. Hampton,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
James P. Metcalfe,
Strother D. Mitchell,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon—31.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
William S. Black,
George I. Brown,
John G. Gooch,
William H. Grainger,
Wm. M. Gray,
Thomas S. Grundy,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,

George P. Brown,
John B. Bruner,
George R. Burgess,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Joseph Dougherty,
Richard H. Field,
William H. Gardner,
Samuel L. Geiger,
Lysander Hord,
Samuel A. Kingman,
Peter Lashbrooke,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Christopher C. Rogers,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
John F. Todd,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—61.

The question was then taken on concurring in the resolution of the Senate, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. I. Brown and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
Robert A. Athey,
R. Tarvin Baker,
William Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
William H. Gardner,
Samuel L. Geiger,
John G. Gooch,
Wm. H. Grainger,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Lysander Hord,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
Christopher C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—58.

Those who voted in the negative, were

William Bradley,
John B. Bruner,
Daniel Cain,
William H. Calvert,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Randall G. Hays,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Joel Owsley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
Elisha F. Wells,
G. W. Williams, of B—35.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—A bill for the benefit of East Maysville and Railroad Company.

By same—A bill to incorporate the Maysville and Bull Creek Plank Road Company.

By the committee on Education—A bill for the benefit of the Pulaski County Seminary.

By same—A bill for the benefit of School District No. 8, in Kenton county.

By same—A bill to incorporate the Frankfort Female College.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rogers, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of Henry Academy and Henry Female College, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. Hanson and A. H. Talbott, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. Tarvin Baker,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George R. Burgess,
Daniel Cain,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
George M. Hampton,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Caleb W. Logan,
George H. Morrow,
William B. Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Christopher C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,

Joseph Dougherty, Joseph H. Lewis, James T. Woodward,
Alvin Duvall, Andrew S. Linn, Edmund Wooldridge—61.
Richard H. Field,

Those who voted in the negative, were

George I. Brown, Daniel Matthewson, Joseph W. Rowlett,
John B. Bruner, Hiram McElroy, John L. Sallee,
Lucius Desha, John S. McFarland, John Shawhan,
Robert English, James P. Metcalfe, Basil G. Smith,
William M. Green, Strother D. Mitchell, Jesse S. Taylor,
Thomas S. Grundy, Morton P. Moore, Elisha F. Wells,
Samuel Hanson, Joel Murphy, George W. Williams, of B.
Preston H. Leslie, Joel Owsley, G. W. Williams, of H—26.
George W. Mansfield, Edward C. Purdy,

Mr. Payne, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to incorporate the Deposit Bank of Covington, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. McElroy and Garrett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) Samuel L. Geiger, Morton P. Moore,
James M. Alexander, Cyrenius W. Gilmore, Joel Murphy,
James B. Allen, John G. Gooch, William B. Murphy,
Robert A. Athey, Alfred F. Graham, Benjamin L. Owens,
R. Tarvin Baker, William H. Grainger, Thomas Y. Payne,
William Beeler, William M. Gray, Julian N. Phelps,
William S. Black, Norvin Green, Edward C. Purdy,
George I. Brown, George M. Hampton, Thomas W. Riley,
George P. Brown, Samuel Hanson, Burwell C. Ritter,
George R. Burgess, William Harris, John Rodman,
Daniel Cain, P. B. Hawkins, Christopher C. Rogers,
William H. Calvert, Randall G. Hays, John Shawhan,
Robert H. Campbell, Lysander Hord, George W. Silvertooth,
Alexander P. Churchill, Samuel B. Jesup, Albert G. Talbott,
John W. Cook, George W. Kavanaugh, Ambrose H. Talbott,
Winston J. Davie, Hiram Klette, Jesse S. Taylor,
Lucius Desha, Peter Lashbrooke, Thomas Todd,
Joseph Dougherty, Preston H. Leslie, John Tompson,
Edward F. Dulin, Joseph H. Lewis, Thomas W. Varnon,
Alvin Duvall, Andrew S. Linn, William T. Ward,
Robert English, Caleb W. Logan, Elisha F. Wells,
Richard H. Field, John S. McFarland, G. W. Williams, of B.
Edgar B. Gaither, James P. Metcalfe, G. W. Williams, of H.
William H. Gardner, Strother D. Mitchell, James T. Woodward—73.
Bernard H. Garrett,

Those who voted in the negative, were

William Bradley,	Thomas S. Grundy,	Joel Owsley,
Carlo B. Brittain,	Daniel Landes,	Joseph W. Rowlett,
John B. Bruner,	George W. Mansfield,	John L. Sallee,
Henry R. D. Coleman,	Daniel Matthewson,	Basil G. Smith,
Asbury Dawson,	Hiram McElroy,	William T. Terrill,
William M. Green,	George H. Morrow,	John F. Todd—18.

A message was received from the Senate, announcing that they had adopted a resolution inviting the Rev. R. J. Breckinridge to deliver an address on Education and Common Schools.

The said resolution was then amended, and as amended, was twice read and concurred in.

The House then took up the resolutions from the Senate in relation to the action of the Indiana Convention, concerning the death of Col. Richard M. Johnson, which being twice read were concurred in.

Whereupon, Messrs. N. Green, Duvall, Davie, Hays, and Athey, were appointed the committee on the part of this House.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, reported the same without amendment.

And then the House adjourned.

THURSDAY, DECEMBER 5, 1850.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables, with amendments.

That they had disagreed to a bill from this House, entitled, an act for the benefit of William Loewenthal.

That they had passed bills of the following titles, viz:

An act for the benefit of the Presbyterian Church in Mountsterling.

An act for the benefit of John Taylor Crook, of Mason county.

An act for the benefit of William Harman.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of the town of Ghent, in Carroll county.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

An act fixing the time for holding the charter election for the city of Covington.

Mr. John B. Arnold, the member returned to serve in this House from the county of Garrard, in the place of John B. Arnold, resigned, appeared, and having produced a certificate of his election, and taken the oath prescribed by the constitution, repaired to his seat.

1. Mr. Moore presented the petition of sundry citizens of Irvine, in Estill county, praying that new trustees be appointed to the Seminary of said town, and a re-organization of the laws in relation to said Seminary.

2. Also, the petition of sundry citizens of Estill county, praying that Cow Creek, in said county, for a certain distance, may be declared navigable.

Which were received, the reading dispensed with and referred—the 1st to the committee on Education, and the 2d to the committee on Internal Improvement.

The House again resumed the consideration of the bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies.

Mr. Williams, of Bourbon, moved an amendment to said bill.

And after some discussion had thereon,

The House adjourned.

FRIDAY, DECEMBER 6, 1850.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a resolution from the Senate, inviting the Rev. R. J. Breckinridge to deliver an address on Education and Common Schools.

That they had passed bills from this House of the following titles, viz:

An act to amend the several acts incorporating the Versailles and Midway Turnpike Road Company.

An act to increase the the terms of the Campbell County Court.

An act for the benefit of Charles Rice, of Carter county.

An act to extend the limits of the town of Proctor, in Owsley county.

That they had passed a bill, entitled, an act for the benefit of William R. Gough, of Graves county.

1. Mr. Williams, of Bourbon, presented the remonstrance of sundry citizens of Owsley county, against the removal of the seat of justice of said county.

2. Mr. Garrett presented the petition of sundry citizens, praying that William M. Smith may be permitted to keep a coffee house in Paints ville.

3. Mr. Morrow presented the petition of sundry citizens of Ballard county, praying that Joseph McClure may be permitted to keep a tavern without license.

Which were received, the reading dispensed with and referred—the 1st and 3d to the committee on Propositions and Grievances, and the 2d to the committee on the Judiciary.

On motion of Mr. Payne,

Ordered, That the further consideration of the bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, be postponed until 12 o'clock, M.

The amendments proposed by the Senate to the amendments of this House, to a bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables, were taken up, twice read, some disagreed to, some insisted on, and some concurred in, with amendments *to the original bill.*

A message was received from the Senate, asking leave to withdraw their report, announcing the passage of a bill from this House, entitled, an act for the benefit of Charles Rice, of Carter county, which was granted, and the bill was withdrawn.

The House then took up the resolutions from the Senate, relating to the exhibition of the Planetarium of Thomas H. Barlow, at the London Industrial Exhibition.

The said resolutions read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor is hereby authorized to issue his warrant on the Treasurer of this State, for the sum of five hundred dollars, in favor of Thomas H. Barlow, to enable him to exhibit his Planetarium at the Industrial Exhibition in London.

Resolved, That before the Auditor shall issue his warrant, as above, the said Thomas H. Barlow shall deposit a bond with the penalty of one thousand dollars, well secured, with the Secretary of State, faithfully to

comply with the propositions contained in his memorial to the General Assembly.

And the question being taken on concurring in said resolutions, it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Thomas Y. Payne,
Wm. W. Alexander,	Norvin Green,	William Preston,
James B. Allen,	Samuel Hanson,	Christopher C. Rogers,
Robert A. Athey,	P. B. Hawkins,	Basil G. Smith,
R. Tarvin Baker,	Lysander Hord,	Albert G. Talbott,
George P. Brown,	George W. Kavanaugh,	Jesse S. Taylor,
John B. Bruner,	Samuel A. Kingman,	Thomas Todd,
George R. Burgess,	Hiram Klette,	Thomas W. Varnon,
William H. Calvert,	Daniel Landes,	William T. Ward,
Robert H. Campbell,	Peter Lashbrooke,	Elisha F. Wells,
Winston J. Davie,	Caleb W. Logan,	G. W. Williams, of B.
Alvin Duvall,	Strother D. Mitchell,	G. W. Williams, of H.
Robert English,	Joel Murphy,	James T. Woodward—40.
William H. Gardner,		

Those who voted in the negative, were

John B. Arnold,	John G. Gooch,	Morton P. Moore,
William Beeler,	Alfred F. Graham,	George H. Morrow,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	William M. Green,	Joel Owsley,
Carlo B. Brittain,	Thomas S. Grundy,	Julian N. Phelps,
George I. Brown,	George M. Hampton,	Edward C. Purdy,
Daniel Cain,	Wm. Harris.	Thomas W. Riley,
Henry R. D. Coleman,	Randall G. Hays,	Burwell C. Ritter,
John W. Cook,	Stilwell Heady,	John Rodman,
Asbury Dawson,	Samuel B. Jesup,	Joseph W. Rowlett,
Lucius Desha,	Preston H. Leslie,	John L. Sallee,
Joseph Dougherty,	Joseph H. Lewis,	John Shawhan,
Edward F. Dulin,	Andrew S. Linn,	George W. Silvertooth,
Richard H. Field,	George W. Mansfield,	Ambrose H. Talbott,
Edgar B. Gaither,	Daniel Matthewson,	William T. Terrill,
Bernard H. Garrett,	Hiram McElroy,	John F. Todd,
Samuel L. Geiger,	John S. McFarland,	John Tompson—53.
Cyrenius W. Gilmore,	James P. Metcalfe,	

Mr. Riley, from the committee on Revised Statutes, made the following report, viz:

The committee on Revised Statutes, to whom was referred a resolution instructing them "to inquire into the extent of the powers of the Commissioners to revise and arrange the Statute Laws of this Commonwealth, and whether said Commissioners have authority given them in revising and arranging the Statute Laws of this Commonwealth, to propose amendments to the law as it now is," have had the subject under consideration, and beg leave to submit the following report:

By an act of Assembly, approved 26th February, 1850—session acts,

28—the Governor was directed, with the advice and consent of the Senate, to appoint three Commissioners, learned in the law, to *revise, digest,* and *systematize* the civil and criminal Statute Laws of this Commonwealth. The appointment was made, pursuant to the act; and the work submitted to the Legislature at an early day of the present session, purports to be a partial performance of the duty of the Commissioners. The committee to whom the same was referred, has not yet had time to make a thorough examination of the work; but so far as they have been able to do so, they take this opportunity to express a decided approbation of it.

But the question raised by the resolution, and the only one necessary now to decide, is, whether the law under which the Commissioners were appointed gave them authority to propose amendments to the law as it now is. We will not enter into a verbal criticism on the definition of the terms revise, digest, and systematize, as employed in the act, or decide the question whether they were intended to enlarge or limit the scope of power or duty of the Commissioners, but content ourselves with an offer of the following resolution:

Resolved, That it is the unanimous opinion of this committee, that the said Commissioners, under and by virtue of the statute creating the commission, have authority given them to propose amendments to the civil and criminal Statute Law of this Commonwealth, as it now is, and without such amendments, no mere digest of the Statutes would have fulfilled their duties under the act, or come up to the wants and expectations of the country. THO. W. RILEY, *Ch'n.*

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz:

Executive Department,
Frankfort, Dec. 6, 1850.

Gentlemen of the Senate, and
House of Representatives:

I transmit herewith a copy of the preamble and resolutions recently adopted by the Convention of Indiana, in relation to the acts of the last session of the present Congress of the United Statet, known as the Compromise Measures. JOHN L. HELM.

Indianapolis, Indiana,
December 3, 1850.

Sir: I have the honor to transmit herewith, a copy of a preamble and resolutions this day adopted by the delegates of the people of the State of Indiana, assembled in Convention to take into consideration the organic law of said State. Very respectfully,

WM. H. ENGLISH,
Sec. of said Convention.

His Excellency, John L. Helm,
Governor of the State of Kentucky:

Whereas, The Congress of the United States passed at its last session, a series of acts, commonly called the Compromise Measures:

And, whereas, certain misguided individuals, in various States of the Union, have expressed their determination to resist a portion of its laws: Therefore,

Be it Resolved, That, in the opinion of this Convention, the common sentiment of the people of Indiana sustains and endorses, in their general features and intention, the said series of Compromise Measures as passed by Congress, and recognizes, in the success of these measures, an earnest of security and perpetuity to our glorious Union.

Resolved, That whatever may be the opinions of individuals, as to the wisdom or policy of the details of one, or any of the acts of Congress above referred to, it is the duty of all good citizens to conform to their requisitions, and to carry out, in good faith, the conditions of that Compromise on the subject of domestic slavery, which is coeval with the Federal Constitution.

Resolved, That a copy of this preamble and resolutions be transmitted to the Governors of each State and Territory of the United States, and to each of our Senators and Representatives in Congress.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of J. C. Wilson, and the remonstrance of sundry citizens of Flemingsburg, against said petition, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Banks—1. A bill to incorporate the Savings Bank of Flemingsburg.

By the committee on County Courts—2. A bill to provide for the qualification of Sheriffs.

By the committee on Propositions and Grievances—3. A bill to repeal an act declaring Whippoorwill a navigable stream.

By the committee on Claims—4. A bill for the benefit of William A. Gorham.

By same—5. A bill for the benefit of Nathan B. Lowe, and Joshua West.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st, 3d, 4th and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the committee on the Judiciary, to whom was referred the bill for the benefit of Sarah Brothers and her children, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Williams, of Bourbon, read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That John F. Todd be added to the committee on Banks.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read and concurred in.

Mr. Klette read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five on the part of the House of Representatives, and three on the part of the Senate, be appointed, whose duty it shall be to inquire into the expediency of removing the seat of Government from Frankfort to Louisville, and to inquire, by correspondence or otherwise, as to the terms which can be made for the removal of the same to said city of Louisville, and what would be the cost or charges to the Commonwealth of Kentucky.

The rule requiring joint resolutions to lie one day on the table having been dispensed with, the said resolution was twice read and concurred in.

On motion of Mr. J. M. Alexander, leave was given to bring in a bill to amend the charter of Bacon College.

Ordered, That the committee on Education prepare and bring in the same.

Mr. Metcalfe, from the committee on the Judiciary, to whom was referred leave to bring in a bill to authorize the trustees of the Common School District, No. 25, in Montgomery county, to sell certain real estate, asked to be discharged from the further consideration of the same, which was granted.

Mr. Metcalfe, from the same committee, to whom was referred leave to bring in a bill to provide for the infliction of capital punishment in private, asked to be discharged from the further consideration of the same.

Mr. Williams, of Bourbon, moved that said leave be re-committed to the committee on the Judiciary, with instructions to report a bill.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the consideration of the bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, and the amendment proposed thereto by Mr. Williams, of Bourbon.

And after some discussion had thereon,

The House adjourned.

SATURDAY, DECEMBER 7, 1850.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of William Milbourne, Jailer of Marion county.

An act for the benefit of School District, No. 8, in Kenton county.

An act to amend the revenue laws.

With an amendment to the last named bill.

That they had passed a bill, entitled, an act for the benefit of Col. Edward Brooks, of the State of Michigan.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Payne—1. A bill to divide the State into four Appellate Districts, and to establish the place of the sitting of the Court in each District.

By Mr. Ward—2. A bill to divide the State into Appellate Judicial Districts.

By Mr. Grainger—3. A bill to incorporate the Hebrew Beneficial Society, of Louisville.

By Mr. Hawkins—4. A bill giving the Warren County Court jurisdiction over that portion of the Salt river road within the limits of Warren county.

By Mr. Gilmore—5. A bill for the benefit of William Fox.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 2d were referred to a committee of the whole, and made the special order of the day for the 10th instant; the 3d was referred to the committee on the Judiciary, and the 4th and 5th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 4th and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st and 2d bills for the use of the members of the General Assembly.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which

originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate a company to construct a bridge across the Ohio river, at Louisville.

An act to incorporate the Flemingsburg and Upper Fox Springs Turnpike Road Company.

An act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

An act to incorporate the Hawesville Cemetery Company.

An act for the benefit of William Williams, Clerk of Owsley county.

An act for the benefit of the Funk Seminary and Masonic University, at LaGrange.

An act for the benefit of Henry Academy and Henry Female College.

An act for the benefit of Henry J. Mead.

Resolutions in relation to the action of the Indiana Convention concerning the death of Col. R. M. Johnson.

A resolution inviting the Rev. R. J. Breckinridge to deliver an address on Education and Common Schools.

A resolution in relation to the funeral discourse delivered on the death of Col. R. M. Johnson.

A resolution directing an examination into the condition of Transylvania University.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Field, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Stephen Moody, of Monroe county.

An act to repeal an act, entitled, an act to reduce into one the several acts concerning the town of Cynthiana.

An act to repeal in part an act, entitled, an act authorizing mill dams to be built across John's creek.

An act to repeal an act for the benefit of James Cunningham, of Trigg county.

An act to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington.

An act to abolish the Stray Pen in Pulaski county.

An act to change the lines between Perry and Clay counties.

An act for the benefit of the town of Flemingsburg.

An act for the benefit of the Trustees of Washington.

An act for the benefit of Edmund Curd, of Calloway county.

An act for the benefit of Jacob S. White, of Madison county.

An act to incorporate the Elizaville and Helena Turnpike Road Company.

An act for the benefit of John Taylor Crook, of Mason county.

An act to incorporate the Louisa, Paintsville, Prestonburg, and Pikeville Turnpike Road Company.

An act for the benefit of the Sheriff of Cumberland county.

An act for the benefit of the Presbyterian Church in Mountsterling.

An act to regulate the rate of toll at the toll gate near the town of Paris, on the Turnpike Road leading from Paris to Winchester.

An act to authorize the location of a toll gate near the town of Centreville, on the Turnpike Road from Georgetown to Paris.

An act to run and re-mark the dividing line between the counties of Butler and Edmonson.

An act to authorize the Police Judge of Somerset to grant injunctions.

An act for the benefit of the Common School Commissioners of Monroe county.

An act to incorporate Bedford Division, No. 159, Sons of Temperance.

A resolution in regard to a law of Congress granting bounty lands to certain officers and soldiers.

A resolution to add Benjamin L. Owens to the committee to visit the Lunatic Asylum.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Mr. A. G. Talbott read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Clerk of the Court of Appeals be, and he is hereby requested to furnish, for the information of the General Assembly, a full and complete report of the gross amount of his fees, per annum, for the last five years, and also, the net amount of said fees, for the same time, after deducting the amount paid to his assistants, &c.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read and adopted.

Mr. T. Todd read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Alvin Duvall and A. H. Talbott, be added to the committee to visit the Institution for the Blind, and Marine Hospital, in Louisville.

Mr. Rogers moved an amendment as a substitute for the bill to apportion representation.

Ordered, That said amendment be referred to a committee of the whole, and that the Public Printer forthwith print 150 copies of said amendment for the use of the members of the General Assembly.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of the Trustees of School District No. 3, in Todd county.

An act for the relief of Francis Hillary.

An act to authorize the Clerk of the Ohio County Court to transcribe and index certain records in his office.

An act to incorporate Cumberland Lodge, No. 149.

An act for the benefit of William Slusher.

An act for the benefit of Samuel Haycraft.

An act to incorporate Boone Lodge, No. 1, Independent Order of Odd Fellows, Louisville.

An act to incorporate the Maxwell Spring Company, at Lexington.

Approved November 30, 1850.

A message was received from the Senate, announcing that they insist on their disagreement to the 8th, 9th, and 33d amendments of this House, to a bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into Districts for the election of Justices of the Peace and Constables; that they had receded from their amendment to the 63d amendment of this House, relating to Owen county; and that they had receded from their 4th amendment to the *original bill* relating to Jessamine county, and that they had concurred in the amendment of this House to the *original bill* in relation to Henry county; and had appointed a committee of conference on their part, to meet a similar committee on the part of this House, in relation to the disagreement between the two Houses on said bill.

Whereupon, Messrs. Riley, Leslie, Metcalfe, Calvert, Gaither, and Allen, were appointed the committee on the part of this House.

The House again resumed the consideration of the bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, and the amendment proposed by Mr. Williams, of Bourbon.

The amendment of Mr. Williams is as follows, viz:

Strike out of the 6th section the words: "and the Covington and Lexington Railroad the most direct and practicable route from Cynthiana to Lexington.

The question was then taken on the adoption of the amendment of Mr. Williams, and decided in the affirmative.

Mr. Rogers moved amendments to said bill.

On motion of Mr. Payne,

Ordered, That said bill and amendments be referred to the committee on Internal Improvement.

And then the House adjourned.

MONDAY, DECEMBER 9, 1850.

A message was received from the Senate, announcing that they had concurred in a resolution from this House, to appoint a committee to inquire into the expediency of removing the seat of government to Louisville, with an amendment.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Lexington and Frankfort Railroad Company, and Louisville and Frankfort Railroad Company.

An act for the benefit of the city of Lexington.

1. Mr. Gaither presented the petition of John Janes, praying permission to retail spirituous liquors without license.

2. Mr. Cook presented the petition of E. Stokes, praying a sum of money due School District, No. 36, in Graves, for the years 1848 and 1849, may be paid,

3. Mr. Brittain presented the petition of the Trustees of School District, No. 25, in Harlan county, praying that the Superintendent of Public Instruction receive their report after the expiration of the time that they were required to report to him.

4. Mr. Matthewson presented the petition of sundry citizens of Calloway county, praying an extension of the terms of the Circuit Court.

5. Mr. Morrow presented the petition of Eliza Ann Williams, praying that the title to a house and lot may be made to her by her paying the balance of the purchase money.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d and 3d to the committee on Education; the 4th to the committee on Circuit Courts, and the 5th to the committee on the Judiciary.

The House resumed the consideration of the leave referred to the committee on the Judiciary, to bring in a bill to provide for the infliction of capital punishment in private, and the motion of Mr. Williams, of

Bourbon, to direct the committee to bring in the bill in pursuance of the leave.

Mr. Hanson moved to lay the leave and motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Dawson, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	Benjamin L. Owens,
James B. Allen,	Cyrenius W. Gilmore,	Joel Owsley,
William S. Black,	Alfred F. Graham,	Julian N. Phelps,
William Bradley,	William H. Grainger,	William Preston,
Carlo B. Brittain,	William M. Gray,	Edward C. Purdy,
George I. Brown,	Samuel Hanson,	Burwell C. Ritter,
John B. Bruner,	Wm. Harris.	C. C. Rogers,
George R. Burgess,	Randall G. Hays,	Joseph W. Rowlett,
Daniel Cain,	Stilwell Heady,	John Shawhan,
William H. Calvert,	Lysander Hord,	George W. Silvertooth,
Alexander P. Churchill,	Samuel B. Jesup,	Basil G. Smith,
Henry R. D. Coleman,	Daniel Landes,	Albert G. Talbott,
John W. Cook,	Preston H. Leslie,	Ambrose H. Talbott,
Winston J. Davie,	Joseph H. Lewis,	Jesse S. Taylor,
Asbury Dawson,	Andrew S. Linn,	William T. Terrill,
Lucius Desha,	Daniel Matthewson,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	William T. Ward,
Robert English,	Morton P. Moore,	Elisha F. Wells,
Richard H. Field,	George H. Morrow,	G. W. Williams, of H—59.
Edgar B. Gaither,	Joel Murphy,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	John S. McFarland,
John B. Arnold,	John G. Gooch,	James P. Metcalfe,
Robert A. Athey,	Norvin Green,	Strother D. Mitchell,
R. T. Baker,	William M. Green,	Thomas Y. Payne,
William Beeler,	Thomas S. Grundy,	Thomas W. Riley,
George P. Brown,	George M. Hampton,	John Rodman,
Robert H. Campbell,	P. B. Hawkins,	John L. Sallee,
Edward F. Dulin,	Samuel A. Kingman,	Thomas Todd,
Alvin Duvall,	Peter Lashbrooke,	Thomas W. Varnon,
William H. Gardner,	George W. Mansfield,	G. W. Williams, of B—30.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition of William M. Smith, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Propositions and Grievances.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill to regulate tippling houses, and to increase the revenue, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Desha, from the joint committee appointed for that purpose, reported that the Rev. Stuart Robinson, in compliance with the resolution of the General Assembly, had furnished a copy of the Funeral Sermon, delivered on the occasion of the death of Hon. R. M. Johnson, which is as follows, viz:

[*For the Funeral Sermon—see Legislative Documents.*]

Mr. R. H. Campbell moved the following resolution, viz:

Resolved, That 2,000 copies of the discourse of the Rev. Stuart Robinson, delivered in this Hall, over the remains of Col. Richard M. Johnson, together with the resolutions and speeches made in this Hall, the resolutions of the Senate, and the remarks made in the Senate, with the funeral services, be printed in pamphlet form for the use of the members of this House, in the order in which they occurred.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to incorporate the town of Hardinsville, in Shelby county.

By same—2. A bill for the benefit of Robert W. Walker, of Hickman county.

By same—3. A bill to increase the jurisdiction of Justices of the Peace.

By the committee on Religion—4. A bill to incorporate the German Roman Catholic St. Alphonsas Liebisbund Benevolent Society, of Louisville.

By the committee on Ways and Means—5. A bill to authorize citizens of Kentucky to sell articles manufactured by themselves, at auction, without license.

By Mr. Leslie—6. A bill for the benefit of John Lyon, of Monroe county.

By same—7. A bill to incorporate Tompkins Lodge, No. 178.

By same—8. A bill to incorporate Edmonton Division, No. 129, Sons of Temperance.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st, 2d, 4th, 6th, 7th, and 8th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Payne read and laid on the table the following preamble and resolution, viz:

Whereas, various charters have been granted for Railroads within the limits of Kentucky, and companies have been organized under said charters, some of which look to important connexions with the great leading lines of Railroads extending through the Union; and whereas, Congress, at its last session, and upon former occasions, has made munificent grants of land to the various of the States of the Union, in aid of such projects. Be it therefore

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested to ask of Congress a suitable appropriation of land, to enable the State of Kentucky to aid in the construction of such Railroads within the State, as are now in progress of construction, or for which charters have been granted and companies organized.

Mr. Duvall moved the following resolution, viz:

Resolved, That the committee on Federal Relations be instructed to report resolutions to this House, responsive to the patriotic communication of the Indiana Constitutional Convention, on the subject of the compromise measures adopted by the Congress of the United States, at its late session, and that said committee be requested to make such report by to-morrow morning.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Leslie—1. A bill more effectually to prevent the practice of gaming.

On motion of Mr. Rodman—2. A bill for the benefit of the Sligo Common School District, in Henry county.

On motion of Mr. Jesup—3. A bill to construct a Plank or Turnpike Road in Todd county, from Elkton to the Tennessee line, at or near Greysville.

Ordered, That the committee on the Judiciary prepare and bring in the first; the committee on Education the 2d, and Messrs. Jesup, Purdy, and Ward, the 3d.

Mr. A. H. Talbott, from the committee appointed to prepare and bring in the same, reported a bill to authorize the erection of a monument to the memory of Col. Richard M. Johnson, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole on the bill to establish twelve Judicial Circuit Districts, Mr. Bradley in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Lewis read and laid on the table the following resolution, viz:

Resolved, That a joint committee of twelve on the part of the House, and five on the part of the Senate, be appointed to prepare and bring in a bill to divide the State into twelve Judicial Districts, in lieu of the pending bill and amendments.

And then the House adjourned.

TUESDAY, DECEMBER 10, 1850.

Mr. George T. Campbell, the member returned to serve in this House from the counties of Carroll and Gallatin, appeared, and having produced a certificate of his election, and taken the oath required by the constitution, repaired to his seat.

A message was received from the Senate, announcing their concurrence in the report of the committee of conference, appointed on the disagreement of the two Houses on the amendments of the two Houses on a bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables.

That they had concurred in resolutions from this House of the following titles, viz:

A resolution calling on the Clerk of the Court of Appeals for the amount of his fees.

A resolution to add John F. Todd to the committee on Banks.

With amendments to the last named resolution.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of the town of Bloomfield.

An act for the benefit of David Howell, and others.

An act for the benefit of the Pulaski County Seminary.

An act to incorporate the Frankfort Female College.

An act giving the Warren County Court jurisdiction over that portion of the Salt river road within the limits of Warren county.

An act for the benefit of James G. Hatcher, committee for Luanna Branham, an idiot of Floyd county.

With amendments to the last named bill.

That they had passed a bill and resolutions of the following titles, viz:

An act to establish a ferry across the Ohio river, at Milton.

A resolution of instruction to the committee on Banks.

A resolution adding James P. Barbour to the committee to visit the Deaf and Dumb Asylum, at Danville.

Mr. Riley, from the committee of Conference appointed on the part of this House, in relation to the disagreement between the two Houses, on the bill from the Senate, entitled, an act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables, made a report, which was concurred in.

Mr. Desha presented the petition of Edmund Cook, praying that a tract of land in Harrison county may be released from the payment of the expenses of his father, Benjamin Cook, who is confined in the Asylum, at Lexington, which was received, the reading dispensed with, and referred to the committee on the Judiciary.

On motion of Mr. Ward,

Ordered, That Mr. Duvall be added to the committee on Federal Relations.

On motion of Mr. Ward,

Ordered, That the further time, until Saturday next, be granted to the committee on Federal Relations to report, in pursuance of the resolution moved by Mr. Duvall, on yesterday.

The House again resumed the consideration of the bill to authorize the erection of a monument to the memory of Col. Richard M. Johnson.

On motion of Mr. Duvall,

Ordered, That said bill be referred to the committee on Military Affairs, with instructions to report said bill to the House on the 10th day of January next.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to incorporate the Hebrew Beneficial Society of Louisville, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Morrow—1. A bill legalizing the sale of town lots in the town of Paducah.

By Mr. Lewis—2. A bill to incorporate Trustees of the United Baptist Meeting House, in Tompkinsville.

By Mr. Garrett—3. A bill for the benefit of Samuel P. Davidson, late Deputy Sheriff of Floyd county.

By Mr. Linn—4. A bill for the benefit of James Ashcraft, of Grant county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 2d were referred to the committee on the Judiciary, and the 3d and 4th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 3d and 4th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cain—1. A bill for the benefit of Common Schools in Whitley county.

On motion of same—2. A bill to incorporate the town of Williamsburg, in Whitley county.

On motion of Mr. Lewis—3. A bill to authorize the election of President and Managers of the Glasgow and Scottsville Turnpike Road.

On motion of same—4. A bill to regulate and fix the salaries of the officers of this *Government* who draw their pay from the Public Treasury.

On motion of Mr. Williams, of Bourbon—5. A bill to incorporate the Paris Savings Institution.

On motion of same—6. A bill to authorize the county of Bourbon to issue bonds to enable her to pay subscriptions of stock in the Maysville and Lexington, and Covington and Lexington Railroad Companies.

On motion of Mr. Black—7. A bill for the benefit of Jesse Casity, late Sheriff of Morgan county.

On motion of Mr. Phelps—8. A bill to run and mark the dividing lines between Butler, Muhlenburg, Logan, and Warren counties.

On motion of Mr. Matthewson—9. A bill for the benefit of James H. and Joseph F. Curd, administrators of E. H. Curd, deceased, late Circuit and County Court Clerk of Calloway county.

On motion of Mr. Woodward—10. A bill for the benefit of Common School Districts, No.'s 6, 18, and 28, in Clay county.

On motion of same—11. A bill for the benefit of George Stivers, of Clay county.

On motion of Mr. Dulin—12. A bill to require the Attorney General to perform certain duties.

Ordered, That Messrs. Cain, Tompson, and Lewis, prepare and bring in the 1st; Messrs. Cain, G. P. Brown, and Moore, the 2d; Messrs. Lewis, Leslie, and T. Todd, the 3d; Messrs. Lewis, Owsley, Gooch, Gaither, and Leslie, the 4th; the committee on Banks, the 5th; the committee on Internal Improvement, the 6th; Messrs. Black, Riley, Gray, and Hampton, the 7th; Messrs. Phelps, Hampton, Black, Rowlett, and Gray, the 8th; the committee on the Judiciary, the 9th and 12th; the committee on Education, the 10th, and the committee on Propositions and Grievances, the 11th.

Bills from the Senate of the following titles, viz:

1. An act to amend the charter of the Lexington and Frankfort Railroad Company, and Louisville and Frankfort Railroad Company.

2. An act for the benefit of the city of Lexington.

3. An act to establish a ferry across the Ohio river, at Milton.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 2d were referred to the committee on the Judiciary, and the 3d was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 3d bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The amendments proposed by the Senate, to a resolution from this House to appoint a committee to inquire into the expediency of removing the seat of government to Louisville, were taken up, twice read, and concurred in.

Mr. Cook moved the following resolution, viz:

Resolved, That the committee on Education be instructed to take into consideration the propriety of so amending the Common School Laws, as to provide that the ages hereafter in said schools, shall extend from six to twenty years, inclusive, instead of five to sixteen, as now provided by law, and that they report by bill or otherwise.

Which was adopted.

Mr. Hays moved the following resolution, viz:

Resolved, That the committee on Military Affairs, to whom was referred a bill providing for the erection of a monument on, or near the grave of Col. R. M. Johnson, be instructed to provide that the appropriation do not exceed four hundred dollars.

And after some discussion had on the adoption of the same, the hour

of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole on the bill to establish twelve Judicial Circuit Districts, Mr. Bradley in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

A message was received from the Senate, by Mr. Ritter, informing this House that the Senate had appointed a committee on their part, and requested the appointment of a similar committee on the part of this House, to wait on the Governor, and ask leave to withdraw from him an enrolled bill, which originated in the Senate, entitled, an act to authorize and require the trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

Whereupon, the Speaker appointed Messrs. Lewis, Smith, and T. Todd, the committee on the part of this House.

And then the House adjourned.

WEDNESDAY, DECEMBER 11, 1850.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to repeal the 5th section of the act to amend the laws in relation to the city of Newport, approved March 6, 1850.

An act for the benefit of East Maysville and Railroad Company.

An act to incorporate the Maysville and Bull Creek Plank Road Company.

An act for the benefit of William A. Gorham.

An act for the benefit of William Fox.

That they had passed a bill and resolution of the following titles, viz:

An act for the benefit of A. G. Hodges and Thomas S. Page.

A resolution fixing a day for the election of Public Officers.

On motion of Mr. McFarland,

Ordered, That Mr. G. T. Campbell be added to the committee on Ways and Means.

1. Mr. Payne presented the petition of John N. Furber, praying an amendment of the charter of the Maysville and Bracken Turnpike Road Company, so as to authorize the Bracken County Court to subscribe stock.

2. Also, the petition of John B. McIlvain, praying that the law imposing a tax on foreign Insurance Companies may be repealed.

3. Mr. Gilmore presented the petition of the mechanics of Pulaski county, praying the passage of a law giving them a lien on buildings erected by them.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement, the 2d to the committee on Ways and Means, and the 3d to the committee on Propositions and Grievances.

Mr. Lewis, from the joint committee appointed to wait on the Governor, to ask leave to withdraw from him an enrolled bill, which originated in the Senate, entitled, an act to authorize and require the trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order, reported that the committee had performed the duty, and that said bill had been returned to the Senate.

On motion of Mr. Lewis,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing the passage of said bill.

Ordered, That Mr. Lewis bear said message to the Senate.

In a short time the messenger returned with said bill.

Mr. Lewis then moved a reconsideration of the vote passing said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to Messrs. Lewis, Smith, and T. Todd.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of William M. Smith, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Ways and Means.

Mr. Bradley, from the same committee, to whom was referred the petition of Joseph McClure, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the committee on the Judiciary, to whom was referred leave to bring in a bill to guard against the imposition of peddlers from other States, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred a bill

from the Senate, entitled, an act for the benefit of the city of Lexington, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of John Janes, asked to be discharged from the further consideration of the same, which was granted.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill to repeal an act to amend the charter of the Covington and Lexington Railroad Company, approved March 4, 1850, and also an act supplemental to said act, approved March 6, 1850, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Hawkins,

Ordered, That Mr. Landes be added to the committee on Education, and Mr. A. G. Talbott to the committee on Federal Relations.

The House resumed the consideration of the resolution moved by Mr. Hays, on yesterday.

On motion of Mr. Duvall,

Ordered, That said resolution be laid on the table.

Mr. Desha, moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report, at the earliest practicable day, bills conferring on Courts of Justice power to grant divorces, to change the names of individuals, and direct the sales of estates of infants, or other persons laboring under legal disabilities, as required by the 32d section of the 2d article of the Constitution.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. G. P. Brown—1. A bill to incorporate McKee Lodge, No. 144, of Free and Accepted Masons.

By Mr. Kavanaugh—2. A bill to repeal any law authorizing the appointment of Commissioners of Tax by County Courts.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st was ordered to be engrossed and read a third time, and the 2d was referred to the committee on Ways and Means, with instructions to report the bill to the House on Friday next.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Brittain—1. A bill to authorize the County Court of Harlan to settle with the Commissioners who were appointed to build a bridge across Straight creek.

On motion of Mr. Shawhan—2. A bill relative to the town of Cynthiana.

On motion of Mr. Desha—3. A bill to incorporate Warren Lodge, No. 110, in the town of Leesburg.

On motion of Mr. N. Green—4. A bill to reorganize Transylvania University, and to erect therein a school for teachers.

On motion of Mr. Purdy—5. A bill to authorize the Secretary of State to furnish William Burke, a Justice of the Peace of Marion county, a copy of Morehead and Brown's Digest.

On motion of Mr. Gooch—6. A bill authorizing the collector of tolls on Green and Barren rivers to administer oaths in certain cases.

On motion of Mr. Gilmore—7. A bill to incorporate Mount Horeb Lodge, No. 3, Hunters of Nimrod.

On motion of Mr. Jesup—8. A bill for the benefit of William R. Moore, of Todd county.

On motion of Mr. Cain—9. A bill for the benefit of James Faulkner, of Whitley county,

On motion of Mr. R. H. Campbell—10. A bill to amend the charter of the Frankfort and Lexington Turnpike Road Company.

On motion of Mr. Gaither—11. A bill to incorporate Moore Lodge, No. 96, of Free and Accepted Masons.

On motion of Mr. McFarland—12. A bill to suppress the practice of adulterating spirituous liquors.

On motion of Mr. Logan—13. A bill to regulate the time of paying negotiable paper.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; the committee on Propositions and Grievances the 2d; Messrs. Desha, Shawhan, Cook, and Gaither, the 3d; the committee on Education the 4th; the committee on the Judiciary the 5th, 6th, and 13th; Messrs. Gilmore, Arnold, and Sallee, the 7th; Messrs. Jesup, Ritter, and

Purdy, the 8th; Messrs. Cain, G. P. Brown, and Woodward, the 9th; Messrs. R. H. Campbell, Athey, and Hord, the 10th; Messrs. Gaither, Metcalfe, and W. M. Green, the 11th; and Messrs. McFarland, McElroy, Rodman, Metcalfe, and Rogers, the 12th.

Mr. Sallee moved the following resolution, viz:

Resolved, That the committee on County Courts be instructed to bring in a bill to regulate the fees of Magistrates.

Which was adopted.

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, Dec. 11, 1850.

Gentlemen of the Senate, and
House of Representatives:

I herewith transmit the report of the committee, appointed by the Legislature to procure the erection of a suitable Military Monument on that portion of the Frankfort Cemetery that was ceded to the State of Kentucky. You will perceive, from the report, that the work has been completed in a manner entirely satisfactory to the committee, and I think I may safely add, in a manner that is gratifying to our State pride. It is due to the eminent sculptor, Mr. R. E. Launitz, who designed and constructed the monument, to say that he has, in every particular, been faithful to his contract, and has gone beyond the public expectation. The zeal of the artist, led him to embark with enthusiasm in the work he had undertaken, and catching the devoted spirit of the illustrious dead, whose self-sacrificing deeds the monument was designed to commemorate, he was resolved that the column should be worthy of the names inscribed upon it, and the battles it records, even if it involved great personal loss to himself. But it cannot be that the Legislature of Kentucky will suffer him to sustain any loss. They will not suffer any one to reproach the Commonwealth with the imputation that Kentucky has built her monument upon the impaired fortunes of an artist. I commend to your most respectful consideration, the suggestions made and facts stated by the committee, not doubting but that you will cheerfully take such action upon the subject as will best comport with the well known justice and liberality of the Kentucky Legislature. JOHN L. HELM.

FRANKFORT, December 6, 1850.

To his Excellency, the Governor of Kentucky:

SIR: The committee charged with the erection of the Military Monument, would respectfully make to you, and through you to the General Assembly, the following report:

They state that the work is finished, and the inscriptions, as directed by the Legislature, are inscribed thereon. The whole amount of the appropriation has been paid to the contractor. For the incidental expenses of the committee, including traveling and other expenses, they make no charge, and are unwilling to receive any remuneration.

In making this, their final report, they feel that they are performing but an act of simple justice to the sculptor, Mr. Robert E. Launitz, when they state that he has not only strictly complied with his contract, under unexpected and embarrassing difficulties, but has produced a work, far exceeding in beauty and execution, that which he was bound by his engagement to produce.

Your committee deeply regret, that in the execution of this memorial of Kentucky valor and Kentucky gratitude, the artist has incurred a pecuniary loss.

From authentic vouchers, furnished at the instance and request of the committee, they advisedly state that the actual outlay in money, by Mr. Launitz, in the execution, transportation of, and erection of the monument, was $16,539 93
Amount paid him, - - - - - - - - - - 15,000 00

Actual loss in money, - - - - - - - - $1,539 93

This monied loss is exclusive of his individual time and labor, and loss of profits during twelve months.

They would also state that the whole work has been executed with the utmost economy and diligence, and that no want of care and industry has, in any instance, existed.

They would also state that Mr. Launitz has had no agency, either direct or indirect, in relation to the subject of remuneration, but has acted throughout the whole matter, as a high-minded and honorable gentleman.

But your committee have felt it due to themselves, to state the above facts, and to leave it to the wisdom of the Legislature to decide whether their Military Monument shall be received at a sum less than its actual cost, and whether the enthusiasm of an artist, which, in such a work, has carried him beyond the strict letter of his contract, shall result in his individual loss.

Should it meet the view of the Legislatnre to refer the subject to a joint committee, it would give the undersigned pleasure to appear before that committee, and give in detail any information on the subject they may desire.

MASON BROWN, *Ch'm. C. M. M.*

Ordered, That said message be referred to the committee on Claims.

Mr. Smith moved the following resolution, viz :

Resolved, That a committee be appointed to prepare and bring in a bill providing a general law for the incorporation of Companies, Societies, Lodges, &c.

Which was adopted.

Whereupon, Messrs. Smith, McElroy, Kingman, Lewis, and Kavanaugh, were appointed a committee in pursuance of said resolution.

Mr. Silvertooth moved the following resolution, viz :

Resolved, That the committee on the Judiciary be instructed, as soon as practicable, to report back a bill to this House, to them referred, providing for the taking of appeals, and prosecuting writs of error in criminal cases.

On motion of Mr. Hanson,

Ordered, That said resolution be laid on the table.

On motion of Mr. Rogers,

Ordered, That the committee on the Judiciary be discharged from the further consideration of the bill authorizing the taking appeals and writs of error to the Court of Appeals in criminal cases, and that said bill be referred to the committee on the Court of Appeals.

The amendments proposed by the Senate to bills from this House of the following titles, viz :

An act for the benefit of William Harman.

An act to amend the revenue laws.

An act for the benefit of James G. Hatcher, committee for Luanna Branham, an idiot of Floyd county.

Were taken up, twice read, and concurred in.

Mr. Wooldridge moved to discharge the committee of the whole from the further consideration of the bill to establish twelve Judicial Circuit Districts, and that the same be referred to the committee on Circuit Courts.

Mr. Garrett moved the previous question.

The question was then put, shall the main question be now taken? and it was decided in the affirmative.

Mr. Payne called for a division of the question.

The question was then taken, shall the committee of the whole be discharged from the further consideration of said bill? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Hawkins, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Richard H. Field,	James P. Metcalfe,
James M. Alexander,	Edgar B. Gaither,	Strother D. Mitchell,
Wm. W. Alexander,	Bernard H. Garrett,	George H. Morrow,
R. T. Baker,	John G. Gooch,	Joel Murphy,
William Beeler,	William M. Gray,	Benjamin L. Owens,
William Bradley,	Norvin Green,	Julian N. Phelps,
George I. Brown,	William M. Green,	Thomas W. Riley,
John B. Bruner,	Stilwell Heady,	Joseph W. Rowlett,
George R. Burgess,	George W. Kavanaugh,	John L. Sallee,
George T. Campbell,	Samuel A. Kingman,	John Shawhan,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
John W. Cook,	Preston H. Leslie,	Elisha F. Wells,
Winston J. Davie,	Joseph H. Lewis,	G. W. Williams, of B.
Lucius Desha,	Daniel Matthewson,	G. W. Williams, of H.
Joseph Dougherty,	Hiram McElroy,	Edmund Wooldridge—47.
Edward F. Dulin,	John S. McFarland,	

Those who voted in the negative, were

James B. Allen,	Thomas S. Grundy,	William Preston,
John B. Arnold,	George M. Hampton,	Edward C. Purdy,
Robert A. Athey,	Samuel Hanson,	Burwell C. Ritter,
William S. Black,	Wm. Harris.	John Rodman,
Carlo B. Brittain,	P. B. Hawkins,	C. C. Rogers,
George P. Brown,	Randall G. Hays,	George W. Silvertooth,
Daniel Cain,	Lysander Hord,	Albert G. Talbott,
Robert H. Campbell,	Samuel B. Jesup,	Ambrose H. Talbott,
Asbury Dawson,	Hiram Klette,	Jesse S. Taylor,
Alvin Duvall,	Peter Lashbrooke,	William T. Terrill,
Robert English,	Andrew S. Linn,	John F. Todd,
Samuel L. Geiger,	Caleb W. Logan,	John Tompson,
Cyrenius W. Gilmore,	Morton P. Moore,	Thomas W. Varnon,
Alfred F. Graham,	Joel Owsley,	William T. Ward,
William H. Grainger,	Thomas Y. Payne,	James T. Woodward—45.

The question was then taken on referring said bill to the committee on Circuit Courts.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Wm. W. Alexander,	Alfred F. Graham,	Strother D. Mitchell,
R. T. Baker,	Wm. H. Grainger,	Jesse S. Taylor,
John W. Cook,	Randall G. Hays,	John F. Todd,
Lucius Desha,	George W. Kavanaugh,	G. W. Williams, of B.
Edward F. Dulin,	Caleb W. Logan,	Edmund Wooldridge—17.
Bernard H. Garrett,	James P. Metcalfe,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Benjamin L. Owens,
James M. Alexander,	John G. Gooch,	Joel Owsley,
James B. Allen,	Wm. M. Gray,	Thomas Y. Payne,
John B. Arnold,	Wm. M. Green,	Julian N. Phelps,
Robert A. Athey,	Thomas S. Grundy,	William Preston,
Wm. Beeler,	George M. Hampton,	Edward C. Purdy,
Wm. S. Black,	Samuel Hanson,	Thomas W. Riley,
Wm. Bradley,	William Harris,	Burwell C. Ritter,
Carlo B. Brittain,	P. B. Hawkins,	John Rodman,
George I. Brown,	Stilwell Heady,	C. C. Rogers,
George P. Brown,	Lysander Hord,	Joseph W. Rowlett,
John B. Bruner,	Samuel B. Jesup,	John L. Sallee,
George R. Burgess,	Samuel A. Kingman,	John Shawhan,
Daniel Cain,	Hiram Klette,	George W. Silvertooth,
Robert H. Campbell,	Daniel Landes,	Basil G. Smith,
George T. Campbell,	Peter Lashbrooke,	Albert G. Talbott,
Henry R. D. Coleman,	Preston H. Leslie,	Ambrose H. Talbott,
Winston J. Davie,	Joseph H. Lewis,	Wm. T. Terrill,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	Daniel Matthewson,	John Tompson,
Alvin Duvall,	Hiram McElroy,	Thomas W. Varnon,
Robert English,	John S. McFarland,	William T. Ward,
Richard H. Field,	Morton P. Moore,	Elisha F. Wells,
Edgar B. Gaither,	George H. Morrow,	G. W. Williams, of H.
Samuel L. Geiger,	Joel Murphy,	James T. Woodward—75.

Mr. Wooldridge then moved to refer said bill to a committee of nineteen members.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Hampton, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	George H. Morrow,
James M. Alexander,	John G. Gooch,	Joel Murphy,
William W. Alexander,	Alfred F. Graham,	William Preston,

R. T. Baker,	William M. Green,	Thomas W. Riley,
William Bradley,	George W. Kavanaugh,	John Shawhan,
John B. Bruner,	Daniel Landes,	George W. Silvertooth,
Robert H. Campbell,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Joseph H. Lewis,	Jesse S. Taylor,
Winston J. Davie,	Daniel Matthewson,	John Tompson,
Lucius Desha,	Hiram McElroy,	Elisha F. Wells,
Joseph Dougherty,	John S. McFarland,	George W. Williams, of B.
Edward F. Dulin,	James P. Metcalfe,	George W. Williams, of H.
Edgar B. Gaither,	Strother D. Mitchell,	Edmund Wooldridge—39.

Those who voted in the negative, were

John B. Arnold,	William H. Grainger,	Joel Owsley,
Robert A. Athey,	William M. Gray,	Thomas Y. Payne,
William Beeler,	Norvin Green,	Julian N. Phelps,
William S. Black,	Thomas S. Grundy,	Edward C. Purdy,
Carlo B. Brittain,	George M. Hampton,	Burwell C. Ritter,
George I. Brown,	Stilwell Heady,	John Rodman,
George P. Brown,	William Harris,	C. C. Rogers,
George R. Burgess,	P. B. Hawkins,	Joseph W. Rowlett,
Daniel Cain,	Samuel Hanson,	John L. Sallee,
George T. Campbell,	Lysander Hord,	Albert G. Talbott,
Henry R. D. Coleman,	Samuel B. Jesup,	Ambrose H. Talbott,
Asbury Dawson,	Samuel A. Kingman,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John F. Todd,
Robert English,	Andrew S. Linn,	Thomas Todd,
Richard H. Field,	Caleb W. Logan,	Thomas W. Varnon,
Samuel L. Geiger,	Morton P. Moore,	William T. Ward,
Cyrenius W. Gilmore,	Benjamin L. Owens,	James T. Woodward—51.

And then the House adjourned.

THURSDAY, DECEMBER 12, 1850.

A message was received from the Senate announcing that they had passed a bill from this House, entitled, an act for the benefit of Robert W. Walker, of Hickman county.

That they had passed bills and a preamble and resolution of the following titles, viz:

An act appropriating money to the Frankfort Cemetery Company, James Bell and Robert Stevenson, for work and labor done, and materials furnished in the improvements lately made around the State Military Monument.

An act in relation to the duties of Assessors of Tax.

An act for the benefit of Emma Bardenwerper.

Preamble and resolution requesting the Governor to inter the remains of certain persons in the Frankfort Cemetery.

The Speaker appointed Messrs. Klette, Hawkins, McElroy, Lashbrooke, and Preston, the committee on the part of this House, in pursuance of the resolution to inquire into the expediency of removing the seat of government to Louisville, or some other place.

On motion of Mr. Wooldridge,

Ordered, That Mr. Ward be added to the committee on the Code of Practice.

1. Mr. Grundy presented the petition of sundry citizens of Washington county, praying an appropriation in aid of the Colonization Society.

2. Mr. Wooldridge presented the petition of sundry citizens of Christian county, praying for the same object.

3. Mr. Sallee presented the petition of sundry citizens of Monticello, in Wayne county, praying that the town limits may be reduced to its original boundary.

Which were received, the reading dispensed with, and referred—the 1st and 2d to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell, and the 3d to the committee on Propositions and Grievances.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the bill to incorporate Trustees of the United Baptist Meeting House, in Tompkinsville, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill legalizing the sale of town lots in the town of Paducah, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Hanson, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Lexington and Frankfort Railroad Company, and Louisville and Frankfort Railroad Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Ward,

Ordered, That Mr. Preston be added to the committee on Federal Relations.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled, an act appointing Commissioners to divide the counties of this State into Districts for the election of Justices of the Peace and Constables, and had found the same truly enrolled,

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—1. A bill to incorporate Bullitt Lodge, No. 155, and Bullitt Royal Arch Chapter, No. 44.

On motion of Mr. Baker—2. A bill to extend the corporate limits of the city of Newport.

On motion of Mr. Dulin—3. A bill to establish a Police Court for the town of Flemingsburg.

On motion of Mr. Brittain—4. A bill to regulate the working of the Goose Creek Turnpike Road in Knox county, and for other purposes.

Ordered, That Messrs. Field, Desha, and Purdy, prepare and bring in the 1st; the committee on the Judiciary the 2d and 3d; and Messrs. Brittain, Cain, and G. P. Brown, the 4th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill for the benefit of William Burke, a Justice of the Peace of Marion county.

By same—2. A bill to require the Attorney General to perform certain duties in regard to the Owingsville and Big Sandy Turnpike Road Company.

By Mr. Gaither—3. A bill to incorporate Moore Lodge, No. 96, of Free and Accepted Masons.

By Mr. Owsley—4. A bill making provision for running and marking the lines of Cumberland and Adair counties.

By Mr. Arnold—5. A bill to prevent persons in this Commonwealth from carrying concealed weapons.

By Mr. Rowlett—6. A bill for the benefit of School District, No. 29, in Owen county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, and 4th were

severally ordered to be engrossed and read a third time, the 5th was referred to the committee on the Judiciary, and the 6th to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, and 4th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate to a bill from this House, entitled, an act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington, were taken up, twice read, and concurred in, with amendments.

On motion of Mr. Leslie,

Ordered, That Mr. Rowlett be added to the select committee appointed to prepare and bring in a bill to regulate the pay of officers who draw their salaries from the Public Treasury.

Bills from the Senate of the following titles, viz:

1. An act in relation to the duties of Assessors of Tax.
2. An act to amend an act to regulate Ferries.
3. An act for the benefit of Edward Artsman, of Bracken county.
4. An act fixing the time for holding the charter election for the city of Covington.
5. An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company,
6. An act for the benefit of the town of Ghent, in Carroll county.
7. An act for the benefit of William R. Gough, of Graves county.
8. An act for the benefit of Col. Edward Brooks, of the State of Michigan.
9. An act for the benefit of A. G. Hodges and Thomas S. Page.
10. An act for the benefit of Emma Bardenwerper.
11. An act appropriating money to the Frankfort Cemetery Company, James Bell, and Robert Stevenson, for work and labor done, and materiterials furnished in the improvements lately made around the State Military Monument.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 7th were referred to the committee on Ways and Means, the 2d, 4th, and 10th, to the committee on the Judiciary, the 3d, 5th, and 6th, were severally ordered to be read a third time, and the 8th, 9th, and 11th, were referred to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 3d, 5th, and 6th bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The House took up the resolution from the Senate, of instruction to the committee on Banks. The said resolution is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the committee on Banks open a correspondence with the Bank of Kentucky, the Northern Bank, the Bank of Louisville, the Southern Bank, and the Farmers' Bank, in writing; putting to the President and Directors of said Banks, such questions as, in their judgment, may be necessary to be answered to ascertain the true condition of said Banks; also, such interrogatories as they may deem necessary to ascertain whether or not said Banks have acted within the powers granted them by their respective charters; and that said correspondence shall supersede the necessity of visiting said Banks, and that the whole of the correspondence between said committee and the President and Directors of the said Banks, be by them reported to the General Assembly.

Mr. N. Green moved to amend said resolution, by adding thereto the following, viz:

Resolved, That the committees on the Lunatic Asylum, Deaf and Dumb Asylum, and Institution for the Blind, and Marine Hospital, be also instructed to open correspondence with those Institutions, upon the subject of their condition and prosperity, for the information of the General Assembly; and that said correspondence shall supersede the necessity of visiting said Institutions in person.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Hanson moved to lay said resolution, as amended, on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	Thomas Y. Payne,
James M. Alexander,	Alvin Duvall,	William Preston,
William W. Alexander,	Robert English,	Edward C. Purdy,
James B. Allen,	Edgar B. Gaither,	Albert G. Talbott,
Robert A. Athey,	William H. Gardner,	Ambrose H. Talbott,
R. T. Baker,	Bernard H. Garrett,	Jesse S. Taylor,
William S. Black,	Alfred F. Graham,	John F. Todd,
George P. Brown,	Wm. M. Gray,	Thomas Todd,
John B. Bruner,	Norvin Green,	Thomas W. Varnon,
George R. Burgess,	Samuel Hanson,	William T. Ward,
Daniel Cain,	P. B. Hawkins,	G. W. Williams, of B.
George T. Campbell,	Samuel B. Jesup,	James T. Woodward,
Alexander P. Churchill,	George W. Kavanaugh,	Edmund Wooldridge—41.
Henry R. D. Coleman,	Morton P. Moore,	

Those who voted in the negative, were

John B. Arnold,	Wm. Harris,	Benjamin L. Owens,
William Beeler,	Randall G. Hays,	Joel Owsley,
Wm. Bradley,	Stilwell Heady,	Julian N. Phelps,
Carlo B. Brittain,	Daniel Landes,	Thomas W. Riley,
George I. Brown,	Peter Lashbrooke,	Burwell C. Ritter,
John W. Cook,	Preston H. Leslie,	John Rodman,
Winston J. Davie,	Joseph H. Lewis,	C. C. Rogers,
Asbury Dawson,	Andrew S. Linn,	Joseph W. Rowlett,
Lucius Desha,	Caleb W. Logan,	John L. Sallee,
Joseph Dougherty,	George W. Mansfield,	John Shawhan,
Richard H. Field,	Daniel Matthewson,	George W. Silvertooth,
Samuel L. Geiger,	Hiram McElroy,	Basil G. Smith,
Cyrenius W. Gilmore,	John S. McFarland,	Wm. T. Terrill,
John G. Gooch,	James P. Metcalfe,	John Tompson,
William M. Green,	Strother D. Mitchell,	Elisha F. Wells,
Thomas S. Grundy,	George H. Morrow,	G. W. Williams, of H—50.
George M. Hampton,	Joel Murphy,	

The question was then taken on concurring in said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Thomas S. Grundy,	Joel Murphy,
John B. Arnold,	George M. Hampton,	Benjamin L. Owens,
William Beeler,	Wm. Harris,	Joel Owsley,
William Bradley,	Randall G. Hays,	Julian N. Phelps,
Carlo B. Brittain,	Stilwell Heady,	Thomas W. Riley,
George I. Brown,	Samuel B. Jesup,	Burwell C. Ritter,
Henry R. D. Coleman,	Daniel Landes,	John Rodman,
John W. Cook,	Peter Lashbrooke,	Joseph W. Rowlett,
Winston J. Davie,	Preston H. Leslie,	John L. Sallee,
Asbury Dawson,	Joseph H. Lewis,	John Shawhan,
Lucius Desha,	Andrew S. Linn,	George W. Silvertooth,
Joseph Dougherty,	Caleb W. Logan,	Basil G. Smith,
Robert English,	George W. Mansfield,	Jesse S. Taylor,
Richard H. Field,	Daniel Matthewson,	William T. Terrill,
Samuel L. Geiger,	Hiram McElroy,	John Tompson,
Cyrenius W. Gilmore,	John S. McFarland,	William T. Ward,
John G. Gooch,	James P. Metcalfe,	Elisha F. Wells,
Alfred F. Graham,	Strother D. Mitchell,	G. W. Williams, of B.
William M. Gray,	George H. Morrow,	James T. Woodward—58.
William M. Green,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	Thomas Y. Payne,
James M. Alexander,	Alvin Duvall,	William Preston,
Robert A. Athey,	Edgar B. Gaither,	Edward C. Purdy,
R. T. Baker,	William H. Gardner,	C. C. Rogers,
William S. Black,	Bernard H. Garrett,	Albert G. Talbott,
George P. Brown,	Norvin Green,	Ambrose H. Talbott,
John B. Bruner,	Samuel Hanson,	John F. Todd,

George R. Burgess, P. B. Hawkins, Thomas Todd,
Daniel Cain, Lysander Hord, Thomas W. Varnon,
George T. Campbell, George W. Kavanaugh, G. W. Williams, of H.
Alexander P. Churchill, Morton P. Moore, Edmund Wooldridge—33.

And then the House adjourned.

FRIDAY, DECEMBER 13, 1850.

1. Mr. Churchill presented the petition of sundry citizens of Jefferson county, praying an appropriation in aid of the Colonization Society.

2. Mr. Hawkins presented the petition of the Chairman and Board of Trustees of Bowlinggreen, praying for an extension of the limits of said town.

3. Mr. Black presented the petition of sundry citizens of West Liberty, in Morgan county, praying an extension of the limits of said town.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell; the 2d to the committee on the Judiciary, and the 3d to the committee on Privileges and Elections.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill relative to the town of Cynthiana.

By the committee on the Judiciary—2. A bill to regulate the estates of persons of unsound mind.

By same—3. A bill for the benefit of James H. and Joseph F. Curd, administrators of E. H. Curd, deceased.

By same—4. A bill to punish unlawful injuries to live stock.

By same—5. A bill to regulate the time of paying negotiable paper in certain cases.

By the committee on Ways and Means—6. A bill to appoint M. T. Hall one of the Commissioners to lay off Warren county into Magistrates' and Constables' Districts.

By Mr. Jesup—7. A bill for the benefit of William R. Moore, of Todd county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 6th, and 7th, were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 6th and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. N. Green, from the committee on Ways and Means, to whom was referred a bill to repeal any law authorizing the appointment of Commissioners of tax by County Courts, reported the same with an amendment, which was concurred in.

The said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Assessors elected in May 1851, shall qualify and execute bond according to law, on the Friday succeeding their election.

§ 2. The several County Courts shall each hold a special term on the 16th of May, 1851, at which the Assessor shall qualify, and execute bond; and the bond so executed, and the proceedings of the Court at said term, shall be as valid as if executed and had at any regular term.

§ 3. Each Assessor shall, immediately thereafter, enter upon the execution of his official duties, and shall finish his list and return his book to the Clerk of the County Court by the 20th July, 1851.

§ 4. The Clerk of the County Court shall immediately proceed to make two copies of said book, as now provided by law, one of which he shall deliver to the Sheriff by the 10th day of August, 1851, and take his receipt therefor, and transmit the other to the Auditor of the State by the first day of the following September.

§ 5. In all other respects the Assessor shall be governed in the discharge of his duties by the Constitution and general laws of the land.

§ 6. That so much of any existing law or laws, as provides for the appointment of Assessors by the County Courts, be and the same is hereby repealed; and any appointments so made in the month of December, 1850, are hereby revoked and annulled.

§ 7. That the Second Auditor shall forthwith cause copies of this act to be transmitted to the Clerks of the several County Courts in this Commonwealth.

§ 8. That in case of a tie vote for any two candidates for Assessor, receiving the largest number of votes for said office, in any county of this Commonwealth, the High Sheriff of such county shall give the casting vote between such candidates, and the candidate receiving such casting vote shall be elected to the said office.

Mr. McFarland moved to amend said bill by striking out all after the enacting clause, and insert in lieu thereof the following, viz:

That Assessors to be elected on the second Monday in May, 1851, agreeably to the provisions of the Constitution, shall not enter upon the duties of their office until the 10th day of January, 1852; and that the

County Courts shall proceed, as heretofore, to elect Commissioners of Tax for the year 1851, whose duties and compensation shall be the same as now provided by law: *Provided*, that if any county or counties shall have failed to appoint Commissioners of Tax, at the Court provided for by law, such county or counties shall proceed, at the January, February, or March Courts next succeeding the passage of this act, to make such appointment.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and McFarland, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Murphy,
James M. Alexander,	John G. Gooch,	Joel Owsley,
William W. Alexander,	William H. Grainger,	Thomas Y. Payne,
Robert A. Athey,	William M. Gray,	William Preston,
R. T. Baker,	William M. Green,	Thomas W. Riley,
Wm. Beeler,	William Harris,	Burwell C. Ritter,
William S. Black,	P. B. Hawkins,	John Rodman,
George I. Brown,	Samuel B. Jesup,	Basil G. Smith,
John B. Bruner,	Peter Lashbrooke,	Jesse S. Taylor,
George R. Burgess,	Preston H. Leslie,	Thomas W. Varnon,
Robert H. Campbell,	Joseph H. Lewis,	William T. Ward,
Alexander P. Churchill,	Andrew S. Linn,	Elisha F. Wells,
John W. Cook,	Caleb W. Logan,	George W. Williams, of B.
Lucius Desha,	Hiram McElroy,	George W. Williams, of H.
Edward F. Dulin,	John S. McFarland,	James T. Woodward,
Alvin Duvall,	George H. Morrow,	Edmund Wooldridge—49.
Robert English,		

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	Morton P. Moore,
John B. Arnold,	Norvin Green,	Benjamin L. Owens,
William Bradley,	Thomas S. Grundy,	Julian N. Phelps,
Carlo B. Brittain,	George M. Hampton,	Edward C. Purdy,
George P. Brown,	Samuel Hanson,	C. C. Rogers,
Daniel Cain,	Randall G. Hays,	Joseph W. Rowlett,
George T. Campbell,	Stilwell Heady,	John L. Sallee,
Henry R. D. Coleman,	Lysander Hord,	John Shawhan,
Winston J. Davie,	George W. Kavanaugh,	George W. Silvertooth,
Asbury Dawson,	Samuel A. Kingman,	Albert G. Talbott,
Joseph Dougherty,	Daniel Landes,	Ambrose H. Talbott,
Richard H. Field,	George W. Mansfield,	William T. Terrill,
Edgar B. Gaither,	Daniel Matthewson,	John F. Todd,
Wm. H. Gardner,	James P. Metcalfe,	Thomas Todd,
Samuel L. Geiger,	Strother D. Mitchell,	John Tompson—45.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended

to read as follows: "An act in relation to the duties of Assessors of Tax."

The yeas and nays being required on the passage of said bill by Messrs. N. Green and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Robert English,	Joel Murphy,
William W. Alexander,	Cyrenius W. Gilmore,	Joel Owsley,
Robert A. Athey,	John G. Gooch,	Thomas Y. Payne,
R. T. Baker,	William H. Grainger,	Wm. Preston,
William Beeler,	William M. Gray,	Thomas W. Riley,
William S. Black,	William M. Green,	Burwell C. Ritter,
George I. Brown,	William Harris,	John Rodman,
George P. Brown,	P. B. Hawkins,	Basil G. Smith,
John B. Bruner,	Samuel B. Jesup,	Jesse S. Taylor,
George R. Burgess,	Peter Lashbrooke,	Thomas Todd,
Daniel Cain,	Preston H. Leslie,	Thomas W. Varnon,
Robert H. Campbell,	Joseph H. Lewis,	William T. Ward,
George T. Campbell,	Andrew S. Linn,	Elisha F. Wells,
Alexander P. Churchill,	Caleb W. Logan,	G. W. Williams, of B.
John W. Cook,	Hiram McElroy,	G. W. Williams, of H.
Lucius Desha,	John S. McFarland,	James T. Woodward,
Edward F. Dulin,	Strother D. Mitchell,	Edmund Wooldridge—53.
Alvin Duvall,	George H. Morrow,	

Those who voted in the negative, were

James M. Alexander,	Norvin Green,	Benjamin L. Owens,
James B. Allen,	Thomas S. Grundy,	Julian N. Phelps,
John B. Arnold,	George M. Hampton,	Edward C. Purdy,
William Bradley,	Samuel Hanson,	C. C. Rogers,
Carlo B. Brittain,	Randall G. Hays,	Joseph W. Rowlett,
Henry R. D. Coleman,	Stilwell Heady,	John L. Sallee,
Winston J. Davie,	Lysander Hord,	John Shawhan,
Asbury Dawson,	George W. Kavanaugh,	George W. Silvertooth,
Joseph Dougherty,	Samuel A. Kingman,	Albert G. Talbott,
Richard H. Field,	Daniel Landes,	Ambrose H. Talbott,
Edgar B. Gaither,	George W. Mansfield,	William T. Terrill,
William H. Gardner,	Daniel Matthewson,	John F. Todd,
Samuel L. Geiger,	James P. Metcalfe,	John Tompson—41.
Alfred F. Graham,	Morton P. Moore,	

The House again resumed the consideration of the bill to establish twelve Judicial Circuit Districts.

The said bill reads as follows, viz:

§ *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Judicial Districts for Circuit Courts in this Commonwealth, shall be composed of the counties as follows, viz:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Livingston, and Crittenden.

Second District—Caldwell, Trigg, Union, Christian, Hopkins, Henderson, and Daviess.

Third District—Todd, Logan, Muhlenburg, Butler, Warren, Simpson, Allen, and Edmonson.

Fourth District—Hancock, Ohio, Breckinridge, Meade, Grayson, Hart, Hardin, Larue, and Nelson.

Fifth District—Barren, Monroe, Cumberland, Clinton, Greene, Adair, Casey, Russell, Wayne, and Taylor.

Sixth District—Jefferson, Shelby, Bullitt, Spencer, and Anderson.

Seventh District—Madison, Estill, Garrard, Mercer, Lincoln, Boyle, Washington, and Marion.

Eighth District—Fayette, Clarke, Bourbon, Scott, Woodford, Jessamine, and Franklin.

Ninth District—Kenton, Boone, Grant, Carroll, Owen, Trimble, Henry, Oldham, and Gallatin.

Tenth District—Mason, Bracken, Lewis, Greenup, Pendleton, Campbell, Nicholas, and Harrison.

Eleventh District—Pulaski, Knox, Rockcastle, Harlan, Laurel, Whitley, Clay, Perry, Owsley, and Letcher.

Twelfth District—Montgomery, Fleming, Bath, Carter, Lawrence, Morgan, Johnson, Pike, Floyd, and Breathitt.

Mr. McElroy moved to amend said bill by striking out all after the enacting clause, and insert in lieu thereof the following, viz:

That the several counties of this Commonwealth shall be divided into twelve Judicial Districts, as follows, viz:

First District—Greenup, Carter, Lawrence, Morgan, Montgomery, Clarke, Bath, Estill, Fleming, and Lewis.

Second Dirtrict—Johnson, Floyd, Pike, Letcher, Perry, Breathitt, Owsley, Clay, Knox, Harlan, Whitley, and Laurel.

Third District—Mason, Bracken, Nicholas, Bourbon, Fayette, and Madison.

Fourth District—Harrison, Pendleton, Chmpbell, Kenton, Boone, Gallatin, Carroll, and Grant.

Fifth District—Owen, Scott, Franklin, Jessamine, Woodford, Anderson, and Shelby.

Sixth District—Jefferson, Henry, Oldham, and Trimble.

Seventh District—Mercer, Boyle, Garrard, Lincoln, Casey, Rockcastle, Pulaski, Wayne, and Russell.

Eighth District—Spencer, Washington, Marion, Green, Taylor, Larue, Hardin, Bullitt, and Nelson.

Ninth District—Adair, Hart, Edmonson, Barren, Warren, Simpson, Allen, Monroe, Cumberland, and Clinton.

Tenth District—Logan, Todd, Butler, Muhlenburg, Daviess, Ohio, Hancock, Breckinridge, Meade, and Grayson.

Eleventh District—Christian, Trigg, Caldwell, Hopkins, Union, Henderson, and Crittenden.

Twelfth District—Graves, Fulton, Hickman, Ballard, McCracken, Calloway, Marshall, and Livingston.

Mr. Metcalfe moved to amend said amendment by inserting in lieu thereof the following, viz:

First District—Lawrence, Carter, Greenup, Lewis, Mason, Bracken, Pendleton, and Campbell.

Second District—Johnson, Pike, Floyd, Breathitt, Perry, Letcher, Harlan, Clay, Knox, Owsley, Laurel, and Whitley.

Third District—Fleming, Bath, Nicholas, Bourbon, Montgomery, Clarke, Estill, and Morgan.

Fourth District—Harrison, Scott, Grant, Kenton, Boone, Owen, Gallatin, and Carroll.

Fifth District—Oldham, Jefferson, Trimble, and Henry.

Sixth District—Shelby, Franklin, Fayette, Anderson, Woodford, Jessamine, and Madison.

Seventh District—Mercer, Boyle, Garrard, Lincoln, Rocacastle, Pulaski, Wayne, Casey, and Russell.

Eighth District—Bullitt, Spencer, Hardin, Larue, Hart, Greene, Taylor, Marion, Washington, and Nelson.

Ninth District—Meade, Breckinridge, Hancock, Daviess, Ohio, Muhlenburg, Butler, Edmonson, and Grayson.

Tenth District—Logan, Todd, Simpson, Warren, Allen, Barren, Monroe, Cumberland, Clinton, and Adair.

Eleventh District—Christian, Trigg, Caldwell, Hopkins, Union, Henderson, and Crittenden.

Twelfth District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Livingston, and Marshall.

Mr. J. F. Todd moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Metcalfe, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Cyrenius W. Gilmore,	Benjamin L. Owens,
Robert A. Athey,	John G. Gooch,	Joel Owsley,
Wm. Beeler,	Alfred F. Graham,	Thomas Y. Payne,
Wm. S. Black,	Norvin Green,	Julian N. Phelps,
Carlo B. Brittain,	George M. Hampton,	Burwell C. Ritter,
George I. Brown,	Samuel Hanson,	John Rodman,
George P. Brown,	William Harris,	C. C. Rogers,
John B. Bruner,	Randall G. Hays,	Joseph W. Rowlett,
George R. Burgess,	Stilwell Heady,	John L. Sallee,
Daniel Cain,	Lysander Hord,	John Shawhan,
Robert H. Campbell,	Samuel B. Jesup,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
John W. Cook,	Peter Lashbrooke,	Albert G. Talbott,
Winston J. Davie,	Andrew S. Linn,	Ambrose H. Talbott,
Asbury Dawson,	Caleb W. Logan,	Jesse S. Taylor,
Lucius Desha,	Daniel Matthewson,	Wm. T. Terrill,
Joseph Dougherty,	John S. McFarland,	John F. Todd,
Alvin Duvall,	Morton P. Moore,	Thomas W. Varnon,
Robert English,	George H. Morrow,	William T. Ward,
Samuel L. Geiger,	Joel Murphy,	James T. Woodward—60.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	James P. Metcalfe,
James M. Alexander,	Wm. M. Gray,	Strother D. Mitchell,
Wm. W. Alexander,	Wm. M. Green,	William Preston,
James B. Allen,	Thomas S. Grundy,	Edward C. Purdy,
R. T. Baker,	P. B. Hawkins,	Thomas W. Riley,
Wm. Bradley,	George W. Kavanaugh,	Thomas Todd,
George T. Campbell,	Samuel A. Kingman,	John Tompson,
Alexander P. Churchill,	Preston H. Leslie,	Elisha F. Wells,
Edward F. Dulin,	Joseph H. Lewis,	G. W. Williams, of B.

Richard H. Field, George W. Mansfield, G. W. Williams, of H.
Edgar B. Gaither, Hiram McElroy, Edmund Wooldridge—34.
William H. Gardner,

At a quarter of 1 o'clock, P. M., Mr. W. M. Green moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. F. Todd and Athey, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander, William M. Green, James P. Metcalfe,
James B. Allen, Samuel A. Kingman, Thomas W. Riley,
Robert H. Campbell, Joseph H. Lewis, Basil G. Smith,
Alexander P. Churchill, George W. Mansfield, George W. Williams, of B.
Edward F. Dulin, Daniel Matthewson, George W. Williams, of H.
William H. Gardner, Hiram McElroy, Edmund Wooldridge—18.

Those who voted in the negative, were

Mr. Speaker, (Johnston,) Cyrenius W. Gilmore, George H. Morrow,
James M. Alexander, John G. Gooch, Benjamin L. Owens,
John B. Arnold, Alfred F. Graham, Joel Owsley,
Robert A. Athey, William H. Grainger, Thomas Y. Payne,
R. T. Baker, William M. Gray, Julian N. Phelps,
William Beeler, Norvin Green, William Preston,
William S. Black, Thomas S. Grundy, Edward C. Purdy,
William Bradley, George M. Hampton, Burwell C. Ritter,
Carlo B. Brittain, Samuel Hanson, John Rodman,
George L. Brown, William Harris, C. C. Rogers,
John B. Bruner, P. B. Hawkins, Joseph W. Rowlett,
George R. Burgess, Randall G. Hays, John L. Sallee,
Daniel Cain, Stilwell Heady, John Shawhan,
George T. Campbell, Lysander Hord, George W. Silvertooth,
Henry R. D. Coleman, Samuel B. Jesup, Ambrose H. Talbott,
John W. Cook, George W. Kavanaugh, Jesse S. Taylor,
Winston J. Davie, Daniel Landes, William T. Terrill,
Asbury Dawson, Peter Lashbrooke, John F. Todd,
Lucius Desha, Preston H. Leslie, Thomas Todd,
Joseph Dougherty, Andrew S. Linn, John Tompson,
Alvin Duvall, Caleb W. Logan, Thomas W. Varnon,
Robert English, John S. McFarland, William T. Ward,
Richard H. Field, Strother D. Mitchell, Elisha F. Wells,
Edgar B. Gaither, Morton P. Moore, James T. Woodward—73.
Samuel L. Geiger,

After some further action on said bill and amendments,

Mr. Kingman, at 1 o'clock, P. M., moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and W. W. Alexander, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	George W. Mansfield,
James M. Alexander,	Wm. H. Gardner,	Daniel Matthewson,
Wm. W. Alexander,	Norvin Green,	James P. Metcalfe,
James B. Allen,	William M. Green,	Strother D. Mitchell,
R. T. Baker,	George W. Kavanaugh,	Joel Murphy,
William Bradley,	Samuel A. Kingman,	Thomas W. Riley,
Robert H. Campbell,	Daniel Landes,	Basil G. Smith,
Alexander P. Churchill,	Preston H. Leslie,	G. W. Williams, of B.
John W. Cook,	Joseph H. Lewis,	G. W. Williams, of H.
Joseph Dougherty,	Andrew S. Linn,	Edmund Wooldridge—30.

Those who voted in the negative, were

John B. Arnold,	Alfred F. Graham,	Julian N. Phelps,
Robert A. Athey,	William H. Grainger,	William Preston,
William Beeler,	William M. Gray,	Edward C. Purdy,
William S. Black,	Thomas S. Grundy,	Burwell C. Ritter,
Carlo B. Brittain,	George M. Hampton,	John Rodman,
George I. Brown,	Samuel Hanson,	C. C. Rogers,
George P. Brown,	Wm. Harris.	Joseph W. Rowlett,
John B. Bruner,	P. B. Hawkins,	John L. Sallee,
George R. Burgess,	Randall G. Hays,	John Shawhan,
Daniel Cain,	Stilwell Heady,	George W. Silvertooth,
George T. Campbell,	Lysander Hord,	Albert G. Talbott,
Henry R. D. Coleman,	Samuel B. Jesup,	Ambrose H. Talbott,
Winston J. Davie,	Peter Lashbrooke,	Jesse S. Taylor,
Asbury Dawson,	Caleb W. Logan,	William T. Terrill,
Lucius Desha,	Hiram McElroy,	John F. Todd,
Alvin Duvall,	John S. McFarland,	Thomas Todd,
Robert English,	Morton P. Moore,	John Tompson,
Richard H. Field,	George H. Morrow,	Thomas W. Varnon,
Edgar B. Gaither,	Benjamin L. Owens,	William T. Ward,
Samuel L. Geiger,	Joel Owsley,	Elisha F. Wells,
Cyrenius W. Gilmore,	Thomas Y. Payne,	James T. Woodward—64.
John G. Gooch,		

Mr. N. Green moved a reconsideration of the vote ordering the main question to be put.

And then the House adjourned.

SATURDAY, DECEMBER 14, 1850.

Mr. Marcus L. Williams, the member returned to serve in this House from the county of Greenup, appeared, and having produced a certificate

of his election, and taken the oath prescribed by the Constitution, repaired to his seat.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act for the benefit of the city of Lexington.

And had received official information from the Governor, that he had approved and signed enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act for the benefit of the Funk Seminary and Masonic University, at Lagrange.

An act for the benefit of William Williams, Clerk of Owsley county.

An act to incorporate the Hawesville Cemetery Company.

An act to incorporate the Flemingsburg and Upper Fox Springs Turnpike Road Company.

An act for the benefit of Henry J. Mead.

Resolutions in relation to the action of the Indiana Convention concerning the death of Col. R. M. Johnson.

A resolution inviting the Rev. R. J. Breckinridge to deliver an address on Education and Common Schools.

A resolution directing an examination into the condition of Transylvania University.

A resolution in relation to the funeral discourse delivered on the death of Col. R. M. Johnson. Approved December 7, 1850.

An act to incorporate a company to construct a bridge across the Ohio river, at Louisville.

An act for the benefit of Henry Academy and Henry Female College. Approved December 9, 1850.

An act appointing Commissioners to divide the counties of this State into districts for the election of Justices of the Peace and Constables. Approved December 12, 1850.

Mr. Varnon presented the petition of sundry citizens of Stanford, praying for a Police Judge in said town.

Also, the remonstrance of sundry citizens of said town, against the creation of a Police Judge in said town.

Which were received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled, an act to incorporate the Deposit Bank of Covington.

And bills and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of William A. Gorham

An act for the benefit of William Fox.

An act to incorporate the Maysville and Bull Creek Plank Road Company.

An act to amend the revenue laws by increasing the tax on Nine and Ten-Pin Alleys.

An act for the benefit of James G. Hatcher, committee for Luanna Branham, an idiot of Floyd county.

An act to increase the terms of the Campbell County Court.

An act to amend the several acts incorporating the Versailles and Midway Turnpike Road Company.

An act for the benefit of Robert W. Walker, of Hickman county.

An act for the benefit of William Harman.

An act to repeal the 5th section of the act to amend the laws in relation to the city of Newport, approved March 6, 1850.

An act for the benefit of East Maysville and Railroad Company.

An act to extend the limits of the town of Proctor, in Owsley county.

An act for the benefit of School District, No. 8, in Kenton county.

An act for the benefit of the town of Bloomfield.

An act for the benefit of David Howell, and others.

An act giving the Warren County Court jurisdiction over that portion of the Salt river road within the limits of Warren county.

An act for the benefit of William Milbourne, Jailer of Marion county.

An act for the benefit of the Pulaski County Seminary.

An act to incorporate the Frankfort Female College.

A resolution to appoint a committee to inquire into the expediency of removing the seat of government to Louisville, or some other place.

A resolution calling on the Clerk of the Court of Appeals for the amount of his fees.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Mr. Desha, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Col. Edward Brooks, of the State of Michigan, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Joel Murphy,
James M. Alexander,	William H. Grainger,	Benjamin L. Owens,
Robert A. Athey,	Norvin Green,	Thomas Y. Payne,
R. T. Baker,	Thomas S. Grundy,	William Preston,
William S. Black,	George M. Hampton,	Edward C. Purdy,
Wm. Bradley,	Samuel Hanson,	Thomas W. Riley,
Carlo B. Brittain,	Wm. Harris,	Burwell C. Ritter,
George I. Brown,	P. B. Hawkins,	John Rodman,
John B. Bruner,	Stilwell Heady,	C. C. Rogers,
George R. Burgess,	Lysander Hord,	Joseph W. Rowlett,
Robert H. Campbell,	Samuel B. Jesup,	John Shawhan,
George T. Campbell,	George W. Kavanaugh,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	Albert G. Talbott,
John W. Cook,	Peter Lashbrooke,	Jesse S. Taylor,
Lucius Desha,	Preston H. Leslie,	Wm. T. Terrill,
Joseph Dougherty,	Joseph H. Lewis,	John F. Todd,
Edward F. Dulin,	Andrew S. Linn,	Thomas Todd,
Alvin Duvall,	Caleb W. Logan,	John Tompson,
Robert English,	Daniel Matthewson,	Thomas W. Varnon,
Richard H. Field,	Hiram McElroy,	William T. Ward,
Edgar B. Gaither,	John S. McFarland,	Elisha F. Wells,
William H. Gardner,	James P. Metcalfe,	G. W. Williams, of H.
Bernard H. Garrett,	Morton P. Moore,	Marcus L. Williams,
Samuel L. Geiger,	George H. Morrow,	James T. Woodward—73.
Cyrenius W. Gilmore,		

Those who voted in the negative, were

James B. Allen,	William M. Green,	Julian N. Phelps,
William Beeler,	Randall G. Hays,	John L. Sallee,
Asbury Dawson,	George W. Mansfield,	Basil G. Smith—11.
Wm. M. Gray,	Joel Owsley,	

Mr. Desha, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of A. G. Hodges and Thomas S. Page, reported the same without amendment.

Ordered, That said bill be read a third time.

On motion of Mr. Hanson,

Ordered, That the committee on the Judiciary be discharged from the further consideration of the bill to abolish the office of Associate Judge, and that the same be referred to the committee on County Courts.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

1. An act fixing the time for holding the charter election for the city of Covington.

2. An act to amend an act to regulate Ferries.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Emma Bardenwerper, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That full power is hereby given to Emma Bardenwerper, to do and carry on business in her own name, to hold and enjoy, sell and dispose of, as her own, the property that she has of her own acquisition; to acquire by purchase, gift, bequest, or other manner, money and property, real, personal, and mixed; to sell, alien, convey, control, use, and dispose of the same in her own name, free from the control of her husband, Otto Bardenwerper, and in no way liable to his debts or management; but to be held and enjoyed, controlled and disposed of, exclusively by the said Emma Bardenwerper, as though she were a *feme sole*. She may sue and be sued, plead and be impleaded, in all the Courts of Law and Equity, or either, as though she were a *feme sole;* and may exercise all the rights and privileges pertaining to her said property or estate, and may dispose of the same by deed, will, or other manner, as fully and completely as though she were a single woman, of full age.

The question was then taken on reading said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to reduce the corporate limits of the town of Monticello.

By the committee on the Judiciary—2. A bill to amend an act for the benefit of William Joshua Barney and Georgianna, his wife.

By the committee on Ways and Means—3. A bill to appoint Oscar Pepper in the place of Charles Cotton, to lay off Woodford county into Magistrates' and Constables' Districts.

By the committee on Internal Improvement—4. A bill to incorporate the Mt. Gilead and Mt. Carmel Turnpike Road Company.

By same—5. A bill to authorize the Bracken County Court to subscribe to a Turnpike Road leading from the county seat to Germantown.

By Mr. T. Todd—6. A bill to authorize the County Court of Shelby to subscribe stock in Roads.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th and 5th were severally ordered to be engrossed and read a third time, and the 6th was referred to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of

the 1st, 2d, 3d, 4th and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. W. W. Alexander,

Ordered, That he be excused from serving on the committee on the Sinking Fund.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to authorize the Police Judge of Somerset to grant injunctions.

An act to run and re-mark the dividing line between the counties of Butler and Edmonson.

An act to authorize the location of a toll gate near the town of Centreville, on the Turnpike Road from Georgetown to Paris.

An act to regulate the rate of toll at the toll gate near the town of Paris, on the Turnpike Road leading from Paris to Winchester.

An act to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington.

An act for the benefit of Jacob S. White, of Madison county.

An act for the benefit of Edmund Curd, of Calloway county.

Approved December 7, 1850.

An act to incorporate Bedford Division, No. 159, Sons of Temperance.

An act for the benefit of the Common School Commissioners of Monroe county.

An act for the benefit of the Presbyterian Church in Mountsterling.

An act for the benefit of the Sheriff of Cumberland county.

An act for the benefit of the Trustees of Washington.

An act for the benefit of the town of Flemingsburg.

An act to repeal an act, entitled, an act to reduce into one the several acts concerning the town of Cynthiana.

An act for the benefit of Stephen Moody, of Monroe county.

An act to repeal an act for the benefit of James Cunningham, of Trigg county.

An act to repeal in part an act, entitled, an act authorizing mill dams to be built across John's creek.

An act to abolish the Stray Pen in Pulaski county.

An act to change the lines between Perry and Clay counties.

An act to incorporate the Louisa, Paintsville, Prestonburg, and Pikeville Turnpike Road Company.

An act for the benefit of John Taylor Crook, of Mason county.

An act to incorporate the Elizaville and Helena Turnpike Road Company. Approved December 9, 1850.

A resolution to add Benjamin L. Owens to the committee to visit the Lunatic Asylum.

A resolution in regard to a law of Congress granting bounty lands to certain officers and soldiers. Approved December 9, 1850.

Mr. Rogers, from the committee on Education, to whom was referred a bill to amend the Common School Law, reported the same without amendment.

The question was then taken on ordering said bill to be engrossed and read a third time, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

Mr. Hawkins moved a reconsideration of the bill in relation to the duties of Assessors of Tax, and that a message be sent to the Senate, asking leave to withdraw the report of this House, announcing the passage of said bill.

The House again resumed the consideration of the bill to establish twelve Judicial Circuit Districts, the amendment of Mr. McElroy, and the amendment of Mr. Metcalfe to the amendment of Mr. McElroy, and the motion of Mr. N. Green to reconsider the vote ordering the previous question.

And after some discussion had thereon,

The House adjourned.

MONDAY, DECEMBER 16, 1850.

A message was received from the Senate announcing their concurrence in the amendments proposed by this House, to the amendments of the Senate, to a bill from this House, entitled, an act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

That they had passed bills from this House of the following titles, viz:

An act to repeal part of an act to permit the citizens of Louisa to vote for or against tavern licenses, and for other purposes.

An act to incorporate the Savings Bank of Fleming county.

An act for the benefit of James Ashcraft, of Grant county.

An act for the benefit of William Burke, a Justice of the Peace of Marion county.

An act to appoint M. T. Hall one of the Commissioners to lay off Warren county into Magistrates' and Constables' Districts.

That they had passed bills and a resolution of the following titles, viz:

An act for the benefit of Iron Masters in Caldwell county.

An act to amend an act, entitled, an act for the benefit of Common Schools in Graves county, and for other purposes.

An act to incorporate the Greenville Institute.

A resolution authorizing the Second Auditor to issue warrants for the pay of the officers of the General Assembly.

1. Mr. Woodward presented the remonstrance of sundry citizens of Owsley county, against the removal of the seat of justice of said county.

2. Mr. Payne presented the petition of sundry citizens of the city of Maysville, praying that certain officers now appointed by the Council, may be elected by the voters of said city.

Which were received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

The House again resumed the consideration of the bill to amend the Common School Law.

Ordered, That said bill be re-committed to the committee on Education.

Mr. Preston, from the committee appointed to prepare and bring in the same, reported a bill authorizing the publication of judicial orders and sales in the public newspapers, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Rodman—1. A bill to repeal the third section of an act to amend the laws relating to the town of Frankfort, approved February 21, 1849.

On motion of Mr. Moore—2. A bill to amend the act appointing a Commissioner to define the lines between Estill and Owsley counties.

Ordered, That Messrs. Rodman, Hord, and Kingman, prepare and bring in the 1st, and Messrs. Moore, Mitchell, and Burgess, the 2d.

The messenger appointed to ask leave of the Senate to withdraw the report of this House, announcing the passage of the bill in relation to the Assessors of Tax, returned with said bill.

The question was then taken on the motion of Mr. Hawkins, to reconsider the vote passing said bill, and it was decided in the affirmative.

Mr. Hawkins then moved to reconsider the vote ordering said bill to be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Garrett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Samuel L. Geiger,	Daniel Matthewson,
James B. Allen,	Alfred F. Graham,	James P. Metcalfe,
John B. Arnold,	William M. Gray,	Morton P. Moore,
William S. Black,	Norvin Green,	Joel Murphy,
William Bradley,	Thomas S. Grundy,	Benjamin L. Owens,
Carlo B. Brittain,	George M. Hampton,	Thomas Y. Payne,
Daniel Cain,	Samuel Hanson,	Julian N. Phelps,
George T. Campbell,	Wm. Harris,	Edward C. Purdy,
Alexander P. Churchill,	P. B. Hawkins,	Joseph W. Rowlett,
Henry R. D. Coleman,	Stilwell Heady,	John L. Sallee,
John W. Cook,	Lysander Hord,	John Shawhan,
Winston J. Davie,	Samuel B. Jesup,	George W. Silvertooth,
Asbury Dawson,	George W. Kavanaugh,	Albert G. Talbott,
Lucius Desha,	Samuel A. Kingman,	Ambrose H. Talbott,
Joseph Dougherty,	Daniel Landes,	William T. Terrill,
Edgar B. Gaither,	Peter Lashbrooke,	John F. Todd,
William H. Gardner,	George W. Mansfield,	John Tompson—52.
Bernard H. Garrett,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Randall G. Hays,	Thomas W. Riley,
Robert A. Athey,	Hiram Klette,	John Rodman,
R. T. Baker,	Preston H. Leslie,	C. C. Rogers,
William Beeler,	Joseph H. Lewis,	Basil G. Smith,
George I. Brown,	Andrew S. Linn,	Jesse S. Taylor,
George P. Brown,	Caleb W. Logan,	Thomas Todd,
John B. Bruner,	Hiram McElroy,	Thomas W. Varnon,
George R. Burgess,	John S. McFarland,	William T. Ward,
Edward F. Dulin,	Strother D. Mitchell,	Elisha F. Wells,
Robert English,	George H. Morrow,	G. W. Williams, of H.
Cyrenius W. Gilmore,	William B. Murphy,	Marcus L. Williams,
John G. Gooch,	Joel Owsley,	James T. Woodward,
William M. Green,	William Preston,	Edmund Wooldridge—39.

The question was again put on engrossing and reading said bill a third time, and after some discussion had thereon, the House proceeded to the orders of the day.

The House again resumed the consideration of the bill to establish twelve Judicial Circuit Districts, the amendment proposed by Mr. McElroy to said bill, the amendment proposed by Mr. Metcalfe to the amendment of Mr. McElroy, and the motion of Mr. N. Green to reconsider the vote ordering the previous question.

Mr. Payne moved to lay the motion of Mr. Green on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Dawson, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Edgar B. Gaither,
Wm. H. Gardner,
William H. Grainger,
George M. Hampton,
Samuel Hanson,
William Harris,
Stilwell Heady,
Peter Lashbrooke,
George W. Mansfield,
Morton P. Moore,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams—40.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
William Bradley,
John B. Bruner,
Alexander P. Churchill,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Wm. B. Murphy,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
George W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—53.

The question was then taken on reconsidering the vote ordering the previous question to be put, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Wm. W. Alexander,
Wm. Beeler,
Wm. Bradley,
John B. Bruner,
Wm. H. Grainger,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
P. B. Hawkins,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
William B. Murphy,
William Preston,
Edward C. Purdy,

Alexander P. Churchill,
Winston J. Davie,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Thomas W. Riley,
John L. Sallee,
Basil G. Smith,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—47.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
William H. Gardner,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Morton P. Moore,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams—46.

The question was again taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Athey, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Edgar B. Gaither,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Hiram Klette,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Morton P. Moore,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams—43.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,

William Beeler,	Norvin Green,	Strother D. Mitchell,
William Bradley,	William M. Green,	George H. Morrow,
John B. Bruner,	Thomas S. Grundy,	William B. Murphy,
Winston J. Davie,	P. B. Hawkins,	Wm. Preston,
Lucius Desha,	Lysander Hord,	Edward C. Purdy,
Joseph Dougherty,	Samuel B. Jesup,	Thomas W. Riley,
Edward F. Dulin,	George W. Kavanaugh,	Basil G. Smith,
Robert English,	Samuel A. Kingman,	Thomas Todd,
William H. Gardner,	Daniel Landes,	William T. Ward,
Bernard H. Garrett,	Preston H. Leslie,	Elisha F. Wells,
Samuel L. Geiger,	Joseph H. Lewis,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Caleb W. Logan,	James T. Woodward,
John G. Gooch,	Daniel Matthewson,	Edmund Wooldridge—48.

Mr. Jesup moved to refer said bill and amendments to a committee of the whole, and make it the special order of the day for to-morrow.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Rogers, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Joel Murphy,
James M. Alexander,	William H. Grainger,	Wm. B. Murphy,
William W. Alexander,	William M. Green,	William Preston,
James B. Allen,	Thomas S. Grundy,	Edward C. Purdy,
John B. Arnold,	Lysander Hord,	Thomas W. Riley,
William Beeler,	Samuel B. Jesup,	John Rodman,
William Bradley,	George W. Kavanaugh,	John L. Sallee,
John B. Bruner,	Hiram Klette,	Basil G. Smith,
George T. Campbell,	Daniel Landes,	Thomas Todd,
Winston J. Davie,	Joseph H. Lewis,	Thomas W. Varnon,
Edward F. Dulin,	Daniel Matthewson,	William T. Ward,
Robert English,	Hiram McElroy,	Elisha F. Wells,
William H. Gardner,	John S. McFarland,	George W. Williams, of H.
Bernard H. Garrett,	James P. Metcalfe,	James T. Woodward,
Samuel L. Geiger,	Strother D. Mitchell,	Edmund Wooldridge—45.

Those who voted in the negative, were

Robert A. Athey,	John G. Gooch,	George H. Morrow,
R. T. Baker,	William M. Gray,	Benjamin L. Owens,
William S. Black,	Norvin Green,	Joel Owsley,
Carlo B. Brittain,	George M. Hampton,	Thomas Y. Payne,
George I. Brown,	Samuel Hanson,	Julian N. Phelps,
George P. Brown,	William Harris,	C. C. Rogers,
George R. Burgess,	P. B. Hawkins,	Joseph W. Rowlett,
Daniel Cain,	Randall G. Hays,	John Shawhan,
Alexander P. Churchill,	Stilwell Heady,	George W. Silvertooth,
Henry R. D. Coleman,	Samuel A. Kingman,	Albert G. Talbott,
John W. Cook,	Peter Lashbrooke,	Ambrose H. Talbott,

Asbury Dawson,	Preston H. Leslie,	Jesse S. Taylor,
Lucius Desha,	Andrew S. Linn,	William T. Terrill,
Joseph Dougherty,	Caleb W. Logan,	John F. Todd,
Edgar B. Gaither,	George W. Mansfield,	John Tompson,
Cyrenius W. Gilmore,	Morton P. Moore,	Marcus L. Williams—48.

And then the House adjourned.

TUESDAY, DECEMBER 17, 1850.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Charles Rice, of Carter county.

An act to incorporate the town of Hardinsville, in Shelby county.

An act to incorporate the German Roman Catholic St. Alphonsas Liebisbund Benevolent Society, of Louisville.

An act for the benefit of John Lyon, of Monroe county.

An act to incorporate Tompkins Lodge, No. 178.

An act incorporating Edmonton Division, No. 129, Sons of Temperance.

An act for the benefit of Samuel P. Davidson, late Deputy Sheriff of Floyd county.

An act to require the Attorney General to perform certain duties in regard to the Owingsville and Big Sandy Turnpike Road Company.

An act for the benefit of William R. Moore, of Todd county.

An act to appoint Oscar Pepper in the place of Charles Cotton, to lay off Woodford county into Magistrates' and Constables' Districts.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of Ephraim Smith.

An act for the benefit of John Raymon.

An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

The resolution from the Senate, authorizing the Second Auditor to issue warrants for the pay of the officers of the General Assembly, was taken up, twice read, and concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Lewis—A bill to authorize the election of officers of the Glasgow and Scottville Turnpike Road.

By Moore—A bill to amend an act, approved November 18, 1850, to settle the dividing line of Estill and Owsley counties.

By Mr. Gilmore—A bill to incorporate Curd Lodge, No. 175.

By same—A bill to incorporate Somerset Royal Arch Chapter, No. 25.

By Mr. Calvert—A bill for the benefit of the Sheriff of Caldwell county.

By the committee on Education—A bill for the benefit of the Estill Seminary.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Smith, from the committee to whom was referred a bill from the Senate, entitled, an act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

1 Mr. T. Todd presented the petition of Samuel Tinsley, and others of Shelby county, praying an amendment to the Common School Law.

2. Mr. Woodward presented the petition of John Morris, of Clay county, praying that said Morris and others may be compensated for money, &c., expended in apprehending the murderers of Frank Prewitt.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education, and the 2d to the committee on Claims.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Maysville and Big Sandy Railroad Company.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

An act for the benefit of the city of Lexington.

An act for the benefit of the town of Ghent, in Carroll county.

An act for the benefit of Edward Artsman, of Bracken county.

An act to establish a Police Court in the town of Hardinsburg.

An act to establish a ferry across the Ohio river, at Milton.

An act for the benefit of Col. Edward Brooks, of the State of Michigan.

An act fixing the time for holding the charter election for the city of Covington.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

Mr. N. Green moved the following resolution, viz:

Resolved, That a committee of five be appointed to inquire what number of copies, if any, above the wants of the State Library, of the debates of the late Constitutional Convention, are now in the hands of the Secretary of State, or elsewhere, subject to the disposition of the Legislature, and what disposition, if any, should be made of the surplus copies on hand, and report to this House by resolution or otherwise.

Which was adopted.

Whereupon, Messrs. N. Green, Coleman, Hanson, A. G. Talbott, and Wells, were appointed the committee.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wells—1. A bill to further extend the duties of Commissioners of Tax.

On motion of Mr. Williams, of Hancock—2. A bill to amend an act entitled, an act for the benefit of the soldiers of the late war with England, &c.

On motion of Mr. Taylor—3. A bill to confirm a sale of a house and lot in the town of Brandenburg, made to S. S. Atwell by the agent of the State.

Ordered, That Messrs. Wells, Riley, and Harris, prepare and bring in the 1st, and the committee on the Judiciary the 2d and 3d.

The amendments of the Senate to a bill from this House, entitled, an act to appoint Oscar Pepper in the place of Charles Cotton, to lay off Woodford county into Magistrates' and Constables' Districts, were taken up, twice read, and concurred in.

The House resumed the consideration of the bill in relation to the duties of Assessors of Tax.

Mr. Kavanaugh moved to amend said bill by striking out all after the enacting clause, and insert in lieu thereof the following, viz:

§ 1. That Assessors elected in May 1851, shall qualify and execute bond according to law, on the Friday succeeding their election.

§ 2. The several County Courts shall each hold a special term on the 16th of May, 1851, at which the Assessor shall qualify, and execute bond; and the bond so executed, and the proceedings of the Court at said term, shall be as valid as if executed and had at any regular term.

§ 3. Each Assessor shall, immediately thereafter, enter upon the execution of his official duties, and shall finish his list and return his book to the Clerk of the County Court by the 20th July, 1851.

§ 4. The Clerk of the County Court shall immediately proceed to make two copies of said book, as now provided by law, one of which he shall deliver to the Sheriff by the 10th day of August, 1851, and take his receipt therefor, and transmit the other to the Auditor of the State by the first day of the following September.

§ 5. In all other respects the Assessor shall be governed in the discharge of his duties by the Constitution and general laws of the land.

§ 6. *Be it further enacted*, That the Second Auditor be allowed until the 15th day of November, 1851, to make his annual report to the General Assembly, for the fiscal year ending the 10th day of October, 1851.

§ 7. That so much of any existing law or laws, as provides for the appointment of Assessors by the County Courts, be and the same is hereby repealed; and any appointments so made in the month of December, 1850, or thereafter, are hereby revoked and annulled.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davie and Hampton, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Samuel L. Geiger,	Morton P. Moore,
James B. Allen,	Alfred F. Graham,	Joel Murphy,
John B. Arnold,	Norvin Green,	Benjamin L. Owens,
William S. Black,	William M. Green,	Thomas Y. Payne,
William Bradley,	Thomas S. Grundy,	Julian N. Phelps,
Carlo B. Brittain,	George M. Hampton,	Edward C. Purdy,
Daniel Cain,	Samuel Hanson,	C. C. Rogers,
William H. Calvert,	Wm. Harris.	Joseph W. Rowlett,
George T. Campbell,	Randall G. Hays,	John L. Sallee,
Alexander P. Churchill,	Stilwell Heady,	John Shawhan,
Henry R. D. Coleman,	Lysander Hord,	George W. Silvertooth,
Winston J. Davie,	Samuel B. Jesup,	Albert G. Talbott,
Asbury Dawson,	George W. Kavanaugh,	Ambrose H. Talbott,
Lucius Desha,	Daniel Landes,	Jesse S. Taylor,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Richard H. Field,	George W. Mansfield,	John F. Todd,
Edgar B. Gaither,	Daniel Matthewson,	Thomas Todd,
Wm. H. Gardner,	James P. Metcalfe,	John Tompson,
Bernard H. Garrett,	Strother D. Mitchell,	Marcus L. Williams—57.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	George H. Morrow,
Robert A. Athey,	John G. Gooch,	Joel Owsley,
R. T. Baker,	William H. Grainger,	Thomas W. Riley,
William Beeler,	William M. Gray,	Burwell C. Ritter,

George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
John W. Cook,
Edward F. Dulin,
Alvin Duvall,
Robert English,
P. B. Hawkins,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
John Rodman,
Basil G. Smith,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—37.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. Leslie and Black, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—73.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
John W. Cook,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
Hiram Klette,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
William B. Murphy,
Joel Owsley,
Burwell C. Ritter,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H—21.

Mr. Rogers, from the committee on Education, made the following report, accompanied with a resolution, which are as follows, viz:

The committee on Education, to whom was referred a resolution directing them "to ascertain and report, by resolution or otherwise, what legislation, if any, is necessary to secure the payment of the interest on the School Fund," have had the subject under consideration, and submit the following report:

By an act, approved March 1, 1850, chapter 207, entitled, "an act to provide for the payment and investment of the interest on the bonds of the State of Kentucky, held by the Board of Education, &c. &c.," full, complete, and, as this committee supposes, satisfactory provision is made by law, for the payment of the interest of the bonds of the State of Kentucky, then, or at any time, to be held by the Board of Education. There are no other bonds held by that Board; its other resources being derived from dividends on Bank Stock, or the proceeds of taxes; upon neither of which sources of income to that Board, does there appear to be, at present, any need for further legislation.

There would be no necessity for any legislative action touching the payment of the interest upon the State bonds held by the Board of Education, if his Excellency, the Governor, had not raised questions in his annual message, which involve the constitutionality of such of the provisions of the act, approved March 1, 1850, relating to the payment of that interest by the Commissioners of the Sinking Fund. As some doubt may exist, under the circumstances, and as great injury would be done to the School system of the State, if a large deficit should be created on the first of February next, when the Superintendent must, by law, draw his annual draft for all the schools that have been taught and reported, during the year 1850, and as it is evident that such deficit will be created, if the Sinking Fund Commissioners fail or refuse to execute the provisions of said act of March 1, 1850, it is, therefore, the opinion of this committee, that the Legislature should express its opinion upon the question raised by the message of the Governor, so far as it involves the payment of said interest by the Sinking Fund.

The committee, therefore, recommend the adoption of the following resolution:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That, in the opinion of the Legislature, the act approved March 1, 1850, chapter 207, entitled, "an act to provide for the payment and investment of the interest on the bonds of the State of Kentucky, held by the Board of Education, &c. &c.," is constitutional; and it sufficiently provides for the payment of the interest on the bonds of the State of Kentucky, held by the Board of Education; and the Commissioners of the Sinking Fund are hereby directed to go on, as heretofore, in the complete execution of the provisions of that act, so far as applies to them, in good faith.

Ordered, That said resolution be referred to to the committee of the whole, and made the special order of the day for the 6th day of January next, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had

passed a bill, entitled, an act to divide the State into twelve Circuit Court Districts.

The House again resumed the consideration of the bill to establish twelve Judicial Circuit Districts, the amendment proposed by Mr. McElroy, and the amendment proposed to the amendment, by Mr. Metcalfe.

Mr. Metcalfe moved to refer said bill and amendments to a committee of thirteen, none of whom shall be lawyers.

Mr. A. G. Talbott moved to lay the motion of Mr. Metcalfe on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. A. G. Talbott and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Asbury Dawson,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
William H. Gardner,
Cyrenius W. Gilmore,
William H. Grainger,
Wm. M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Albert G. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—69.

Those who voted in the negative, were

John B. Bruner,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Green,
George W. Kavanaugh,
Samuel A. Kingman,
Joseph H. Lewis,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Owsley,
Thomas W. Riley,
John Rodman,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Thomas Todd,
Elisha F. Wells—26.

Mr. Williams, of Bourbon, moved to refer said bill and amendments to the committee on Circuit Courts.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rogers and Payne, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	John S. McFarland,
William Bradley,	Samuel L. Geiger,	James P. Metcalfe,
John B. Bruner,	Cyrenius W. Gilmore,	Joel Owsley,
George R. Burgess,	William M. Green,	John L. Sallee,
Alexander P. Churchill,	Thomas S. Grundy,	Thomas Todd,
John W. Cook,	George W. Kavanaugh,	Elisha F. Wells,
Winston J. Davie,	Daniel Landes,	George W. Williams, of B.
Joseph Dougherty,	Joseph H. Lewis,	George W. Williams, of H.
Edward F. Dulin,	Daniel Matthewson,	Edmund Wooldridge—27.

Those who voted in the negative, were

James M. Alexander,	Alfred F. Graham,	Joel Murphy,
James B. Allen,	William H. Grainger,	Wm. B. Murphy,
John B. Arnold,	William M. Gray,	Benjamin L. Owens,
Robert A. Athey,	Norvin Green,	Thomas Y. Payne,
R. T. Baker,	George M. Hampton,	Julian N. Phelps,
William Beeler,	Samuel Hanson,	Edward C. Purdy,
William S. Black,	William Harris,	Burwell C. Ritter,
Carlo B. Brittain,	P. B. Hawkins,	John Rodman,
George I. Brown,	Randall G. Hays,	C. C. Rogers,
George P. Brown,	Silwell Heady,	Joseph W. Rowlett,
Daniel Cain,	Lysander Hord,	John Shawhan,
William H. Calvert,	Samuel B. Jesup,	George W. Silvertooth,
Robert H. Campbell,	Samuel A. Kingman,	Basil G. Smith,
George T. Campbell,	Hiram Klette,	Albert G. Talbott,
Henry R. D. Coleman,	Peter Lashbrooke,	Ambrose H. Talbott,
Asbury Dawson,	Preston H. Leslie,	Jesse S. Taylor,
Lucius Desha,	Andrew S. Linn,	William T. Terrill,
Alvin Duvall,	Caleb W. Logan,	John F. Todd,
Robert English,	George W. Mansfield,	John Tompson,
Richard H. Field,	Hiram McElroy,	Thomas W. Varnon,
Edgar B. Gaither,	Strother D. Mitchell,	William T. Ward,
William H. Gardner,	Morton P. Moore,	Marcus L. Williams,
John G. Gooch,	George H. Morrow,	James T. Woodward—69.

The question was then taken on the adoption of the amendment of Mr. Metcalfe, to the amendment of Mr. McElroy, and it was decided in the negative

The yeas and nays being required thereon by Messrs. McElroy and Dulin, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	William M. Green,	William Preston,
William Bradley,	Samuel A. Kingman,	Thomas W. Riley,
John B. Bruner,	Daniel Landes,	John L. Sallee,

Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Edward F. Dulin,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Wm. H. Grainger,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Basil G. Smith,
Albert G. Talbott,
Thomas Todd,
G. W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—28.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Daniel Cain,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—70.

Mr. J. M. Alexander moved the following as a substitute for the amendment of Mr. McElroy, viz:

That the several counties of this Commonwealth shall be divided into twelve Judicial Districts, as follows, viz:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, and Crittenden.

Second Dirtrict—Trigg, Caldwell, Union, Hopkins, Muhlenburg, Christian, and Todd.

Third District—Henderson, Daviess, Ohio, Hancock, Breckinridge, Meade, Hardin, Grayson, and Larue.

Fourth District—Logan, Butler, Edmonson, Barren, Monroe, Allen, Simpson, Warren, and Hart.

Fifth District—Cumberland, Adair, Green, Taylor, Casey, Pulaski, Wayne, Russell, Clinton, and Lincoln.

Sixth District—Bullitt, Spencer, Anderson, Mercer, Boyle, Washington, Marion, and Nelson.

Seventh District—Jefferson, Shelby, Oldham, Trimble, and Franklin.

Eighth District—Henry, Owen, Carroll, Gallatin, Boone, Kenton, Grant, and Campbell.

Ninth District—Pendleton, Bracken, Mason, Nicholas, Harrison, Lewis, and Greenup.

Tenth District—Woodford, Scott, Bourbon, Fayette, Clarke, Jessamine, and Garrard.

Eleventh District—Fleming, Carter, Lawrence, Bath, Montgomery, Morgan, Johnson, Pike, and Floyd.

Twelfth District—Madison, Estill, Owsley, Clay, Harlan, Perry, Letcher, Whitley, Laurel, Rockcastle, Breathitt, and Knox.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	William M. Green,	Benjamin L. Owens,
George I. Brown,	Thomas S. Grundy,	William Preston,
John B. Bruner,	Randall G. Hays,	Edward C. Purdy,
Alexander P. Churchill,	George W. Kavanaugh,	Thomas W. Riley,
Winston J. Davie,	Samuel A. Kingman,	Joseph W. Rowlett,
Robert English,	Hiram Kleiie.	John L. Sallee,
Richard H. Field,	Joseph H. Lewis,	Basil G. Smith,
Edgar B. Gaither,	Andrew S. Linn,	Jesse S. Taylor,
Wm. H. Gardner,	Caleb W. Logan,	William T. Ward,
Bernard H. Garrett,	George W. Mansfield,	Elisha F. Wells,
Samuel L. Geiger,	John S. McFarland,	G. W. Williams, of B.
Cyrenius W. Gilmore,	William B. Murphy,	Edmund Wooldridge—37.
William M. Gray,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	George H. Morrow,
James B. Allen,	Alvin Duvall,	Joel Murphy,
John B. Arnold,	John G. Gooch,	Joel Owsley,
Robert A. Athey,	Alfred F. Graham,	Thomas Y. Payne,
R. T. Baker,	William H. Grainger,	Julian N. Phelps,
William Beeler,	Norvin Green,	Burwell C. Ritter,
William S. Black,	Samuel Hanson,	John Rodman,
William Bradley,	Wm. Harris.	C. C. Rogers,
Carlo B. Brittain,	P. B. Hawkins,	John Shawhan,
George P. Brown,	Stilwell Heady,	George W. Silvertooth,
George R. Burgess,	Lysander Hord,	Albert G. Talbott,
Daniel Cain,	Samuel B. Jesup,	Ambrose H. Talbott,
William H. Calvert,	Daniel Landes,	William T. Terrill,
Robert H. Campbell,	Peter Lashbrooke,	John F. Todd,
George T. Campbell,	Preston H. Leslie,	Thomas Todd,
Henry R. D. Coleman,	Daniel Matthewson,	John Tompson,
John W. Cook,	Hiram McElroy,	Thomas W. Varnon,
Asbury Dawson,	James P. Metcalfe,	G. W. Williams, of H.
Lucius Desha,	Strother D. Mitchell,	Marcus L. Williams,
Joseph Dougherty,	Morton P. Moore,	James T. Woodward—60.

Mr. W. M. Green moved the following as a substitute for the amendment of Mr. McElroy, viz:

That the Judicial Districts for Circuit Courts in this Commonwealth shall be composed of the counties as follows, viz:

First District—Fulton, Hickman, McCracken, Graves, Calloway, Marshall, Livingston, and Crittenden.

Second District—Caldwell, Trigg, Todd, Christian, Muhlenburg, Hopkins, and Union.

Third District—Henderson, Daviess, Hancock, Ohio, Grayson, Breckinridge, Meade, and Hardin.

Fourth District—Butler, Logan, Simpson, Allen, Monroe, Barren, Warren, Hart, and Edmonson.

Fifth District—Cumberland, Clinton, Wayne, Pulaski, Lincoln, Casey, Taylor, Greene, Adair, and Russell.

Sixth District—Bullitt, Spencer, Anderson, Shelby, and Jefferson.

Seventh District—Larue, Nelson, Washington, Marion, Mercer, Boyle, and Garrard.

Eighth District—Oldham, Henry, Trimble, Owen, Carroll, Gallatin, Boone, Grant, and Kenton.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas, Harrison, Bourbon, and Scott.

Tenth District—Franklin, Woodford, Fayette, Jessamine, Madison, Estill, and Clarke.

Eleventh District—Bath, Fleming, Greenup, Lewis, Carter, Lawrence, Johnson, Morgan, and Montgomery.

Twelfth District—Rockcastle, Knox, Harlan, Laurel, Clay, Whitley, Perry, Owsley, Letcher, Breathitt, Floyd, and Pike.

Mr. McFarland moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Hampton, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Strother D. Mitchell,
James B. Allen,	John G. Gooch,	George H. Morrow,
William Beeler,	Alfred F. Graham,	Joel Murphy,
William Bradley,	William M. Green,	William B. Murphy,
John B. Bruner,	Thomas S. Grundy,	Wm. Preston,
Wm. H. Calvert,	Lysander Hord,	Edward C. Purdy,
Alexander P. Churchill,	George W. Kavanaugh,	Thomas W. Riley,
Henry R. D. Coleman,	Hiram Klette,	John L. Sallee,
John W. Cook,	Daniel Landes,	John Shawhan,
Winston J. Davie,	Preston H. Leslie,	George W. Silvertooth,
Lucius Desha,	Joseph H. Lewis,	Basil G. Smith,
Joseph Dougherty,	Andrew S. Linn,	Thomas Todd,
Edward F. Dulin,	Caleb W. Logan,	John Tompson,
Richard H. Field,	Daniel Matthewson,	Elisha F. Wells,
William H. Gardner,	Hiram McElroy,	G. W. Williams, of H.
Samuel L. Geiger,	John S. McFarland,	Edmund Wooldridge—48.

Those who voted in the negative, were

James M. Alexander,	William M. Gray,	Thomas Y. Payne,
John B. Arnold,	Norvin Green,	Julian N. Phelps,
Robert A. Athey,	George M. Hampton,	Burwell C. Ritter,
R. T. Baker,	Samuel Hanson,	John Rodman,
William S. Black,	William Harris,	C. C. Rogers,
Carlo B. Brittain,	P. B. Hawkins,	Joseph W. Rowlett,
George I. Brown,	Randall G. Hays,	Albert G. Talbott,

George P. Brown,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Asbury Dawson,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Bernard H. Garrett,
William H. Grainger,
Stilwell Heady,
Samuel B. Jesup,
Samuel A. Kingman,
Peter Lashbrooke,
George W. Mansfield,
James P. Metcalfe,
Morton P. Moore,
Benjamin L. Owens,
Joel Owsley,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—49.

At a quarter of 2 o'clock, P. M., Mr. Jesup moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Arnold and Leslie, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Carlo B. Brittain,
George T. Campbell,
Asbury Dawson,
Robert English,
William H. Gardner,
Bernard H. Garrett,
Norvin Green,
Wm. M. Green,
P. B. Hawkins,
Randall G. Hays,
Samuel B. Jesup,
Peter Lashbrooke,
George W. Mansfield,
Joel Owsley,
Thomas Y. Payne,
Thomas W. Varnon—17.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
Wm. S. Black,
Wm. Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
Wm. M. Gray,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John F. Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—76.

Mr. Grainger moved a reconsideration of the vote refusing to lay said bill and amendments on the table.

Mr. J. F. Todd moved to lay the motion of Mr. Grainger on the table.

At 2 o'clock, P. M., Mr. G. I. Brown moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Dulin, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Norvin Green,	Benjamin L. Owens,
Robert A. Athey,	George M. Hampton,	Thomas Y. Payne,
William S. Black,	Samuel Hanson,	Julian N. Phelps,
Carlo B. Brittain,	William Harris,	Edward C. Purdy,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
George R. Burgess,	Randall G. Hays,	John Rodman,
William H. Calvert,	Stilwell Heady,	C. C. Rogers,
Robert H. Campbell,	Samuel B. Jesup,	Ambrose H. Talbott,
George T. Campbell,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Samuel A. Kingman,	William T. Terrill,
Asbury Dawson,	Hiram Klette,	John F. Todd,
Alvin Duvall,	Daniel Landes,	John Tompson,
Robert English,	Peter Lashbrooke,	Thomas W. Varnon,
Richard H. Field,	George W. Mansfield,	William T. Ward,
Edgar B. Gaither,	James P. Metcalfe,	Marcus L. Williams,
Wm. H. Gardner,	Morton P. Moore,	James T. Woodward—50.
William M. Gray,	Joel Murphy,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Wm. B. Murphy,
James M. Alexander,	John G. Gooch,	Joel Owsley,
James B. Allen,	Alfred F. Graham,	William Preston,
R. T. Baker,	William H. Grainger,	Thomas W. Riley,
Wm. Beeler,	William M. Green,	Joseph W. Rowlett,
William Bradley,	Thomas S. Grundy,	John L. Sallee,
George P. Brown,	Lysander Hord,	John Shawhan,
John B. Bruner,	Preston H. Leslie,	George W. Silvertooth,
Alexander P. Churchill,	Joseph H. Lewis,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	Albert G. Talbott,
Winston J. Davie,	Caleb W. Logan,	Thomas Todd,
Lucius Desha,	Daniel Matthewson,	Elisha F. Wells,
Joseph Dougherty,	Hiram McElroy,	George W. Williams, of B.
Edward F. Dulin,	John S. McFarland,	George W. Williams, of H.
Bernard H. Garrett,	Strother D. Mitchell,	Edmund Wooldridge—47.
Samuel L. Geiger,	George H. Morrow,	

WEDNESDAY, DECEMBER 18, 1850.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act better to define the lines between the counties of Pike, Floyd, Lawrence, and Johnson.

That they had passed bills from the House, of the following titles, viz:

An act to incorporate the Hebrew Beneficial Society of Louisville.

An act to incorporate Trustees of the United Baptist Meeting House in Tompkinsville.

An act to incorporate McKee Lodge, No. 144, of Free and Accepted Masons.

An act to incorporate Moore Lodge, No. 96, of Free and Accepted Masons.

An act making provision for running and marking the lines of Cumberland and Adair counties.

An act relative to the town of Cynthiana.

An act for the benefit of James H. and Joseph F. Curd, administrators of E. H. Curd, deceased.

An act to amend an act for the benefit of William Joshua Barney and Georgiana his wife.

That they had passed a bill entitled an act to regulate the division of Hancock county into Magistrates' and Constables' districts.

And a resolution to furnish the members of the General Assembly with the Debates of the Convention.

Mr. Athey presented the petition of sundry citizens of Fayette county praying an appropriation in aid of the Colonization Society, which was received, the reading dispensed with, and referred to Messrs. Williams of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell.

Mr. Rogers, from the committee on Education, moved the following resolution, viz:

Resolved, That if, during the recess, the Superintendent of Public Instruction shall have completed his annual report, he may hand the same to the Public Printer, who shall print ten thousand copies for the use of the members of this House.

Which was adopted.

Mr. Rogers, from the same committee, to whom was referred the petition of Hiram Lewis and others, asked to be discharged from the further consideration of the same, which was granted.

Mr. Rogers, from the committee on Education, reported bills of the following titles, viz:

1. A bill to reorganize Transylvania University, and establish therein a School for Teachers.

2. A bill to amend an act, entitled, an act for the benefit of the Laurel County Seminary, approved February 28, 1835.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third reading of the 2d bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

Mr. Rogers, from the committee on Education, reported a bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Georgetown, approved February 23, 1837, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John T. Johnson, John Curd, John Duncan, Samuel Nuckols, James H. Daviess, Henry Johnson, P. S. Fall, T. C. Flournoy, G. W. Williams, Thomas Smith, H. M. Bledsoe, Asa Runyon, John Bowman, Samuel Hatch, George L. Nuckols, and James Challen, be and they are hereby constituted a body politic and corporate, to be known and designated by the name and style of the Trustees of the Bacon College; and by that name shall have perpetual succession, and a common seal, with power to change and alter the same at pleasure; and, as a body corporate, shall be authorized to exercise all the rights, powers, and privileges, which are exercised by the Trustees of the College at Danville, in this State; but the property of said corporation shall be subject to taxation, except the College buildings, and five acres of ground around or near the same; and on the death, resignation, or other disqualification of any of the said Trustees, or their successors in office, a majority of those in office may fill such vacancy or vacancies, and the person or persons so appointed, shall be vested with the same powers and privileges as those named in this act; and by the name, style, and denomination of the Trustees of Bacon College, may sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this State.

§ 2. That the property of said College, hereafter acquired, may consist of stock, and said stock shall be divided into shares of five dollars each, to be paid as the by-laws of the said Trustees shall direct, which stock shall be a perpetual fund for the purposes of education in literature, science, and the arts; but no dividend shall ever accrue therefrom to any stockholder, nor shall said fund be ever applied to any purpose not herein specified. Said stock shall not be liable to taxation, nor to execution for the indebtedness of the stockholder. Each stockholder shall be entitled to receive, in tuition from said College, at the rate of six per cent. per annum, upon the amount of stock taken from the date of its payment; and every stockholder subscribing for and paying the amount of one hundred shares, shall be entitled to perpetual tuition in said College, for every such subscription of one hundred shares. The Trustees of said College may elect, from their own body, a President, Secretary, and Treasurer, who shall have power to open books for the subscription of stock, and upon its payment, issue certificates for the same.

§ 3. That it shall and may be lawful for said trustees, and their successors in office, in their corporate capacity, to purchase or receive by donation, demise, or

bequeath any lands, tenements, hereditaments, moneys, rents, goods, and chattels, and to hold the same in the name aforesaid, to them and their successors forever, for the use and benefit of said institution, and to sell, transfer, and convey the same under the seal of said corporation.

§ 4. That the principal or president of the faculty shall be the chairman of the board of trustees, and a majority of the trustees in office shall at all times constitute a quorum to do business, and shall have power to meet at such times and places as they may select, for the transaction of business; and may make such rules and ordinances necessary for the proper government of said institution as shall not be repugnant to the constitution and laws of the United States or of this state. The said trustees shall have power to select and appoint such officers, teachers, tutors, and professors for the management of said institution, as they may think necessary; to fix their salaries and prescribe their duties; to fix and prescribe the terms upon which the students may be admitted; and for any misconduct in any teacher, tutor, or professor, to dismiss such person from office, and to appoint another or others in their stead.

§ 5. That the said trustees shall keep a record of their proceedings, and if necessary appoint a clerk to record the same, and to prescribe his duties. It shall be the duty of the chairman of the trustees to have recorded in the office of the county court where said institution is located, the names of the trustees thereof, and the names of such as may hereafter be appointed.

§ 6. That the real and personal estate acquired by this corporation shall at no time exceed the yearly rent or value of ten thousand dollars.

§ 7. That the funds raised for endowing any of the professorships shall never be encroached upon, and the funds raised shall not be diverted from the objects contemplated: *Provided, however*, that the interest of any of the funds, when not needed for any of the objects for which they were raised, may be appropriated as said trustees may direct.

§ 8. That full power is reserved to the general assembly to repeal or modify the privileges herein granted.

§ 9. That the said trustees of Bacon College shall have the power to sell and dispose of lottery tickets to the amount fifty thousand dollars, under the same rules, regulations, restrictions, and conditions that were granted by the legislature to the Henry Female College and Henry Academy, by an act passed the 9th day of December, 1850, entitled an act for the benefit of the Henry Female College and Henry Academy.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. McElroy moved to amend said bill by adding thereto the following section, viz:

Be it further enacted, That the Superintendent of Public Instruction shall also have power to sell and dispose of lottery tickets to the amount of $150,000, under the same rules and restrictions as is prescribed in said recited act, for the benefit of the Common Schools of this Commonwealth.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rogers and Leslie, were as follows, viz:

Those who voted in the affirmative, were

R. T. Baker,
William Bradley,
George I. Brown,
George P. Brown,
Robert H. Campbell,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Wm. H. Gardner,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Green,
George M. Hampton,
Randall G. Hays,
Stilwell Heady,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Hiram McElroy,
John S. McFarland,
Joel Murphy,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
Elisha F. Wells,
George W. Williams, of H.
Marcus L. Williams—32.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
Wm. Beeler,
John B. Bruner,
William H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Joseph H. Lewis,
Caleb W. Logan,
Daniel Matthewson,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Wm. B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Albert G. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
James T. Woodward,
Edmund Wooldridge—55.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Shawhan and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
William S. Black,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Joseph H. Lewis,
George H. Morrow,
William B. Murphy,
Thomas Y. Payne,
William Preston,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Wm. T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—41.

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	Strother D. Mitchell,
John B. Arnold,	William H. Grainger,	Joel Murphy,
William Beeler,	Wm. M. Gray,	Benjamin L. Owens,
Wm. Bradley,	William M. Green,	Joel Owsley,
George I. Brown,	P. B. Hawkins,	Julian N. Phelps,
George P. Brown,	Stilwell Heady,	Edward C. Purdy,
John B. Bruner,	George W. Kavanaugh,	Thomas W. Riley,
George R. Burgess,	Daniel Landes,	Burwell C. Ritter,
William H. Calvert,	Peter Lashbrooke,	Joseph W. Rowlett,
George T. Campbell,	Preston H. Leslie,	John L. Sallee,
Henry R. D. Coleman,	Andrew S. Linn,	John Shawhan,
John W. Cook,	Caleb W. Logan,	George W. Silvertooth,
Asbury Dawson,	George W. Mansfield,	Basil G. Smith,
Lucius Desha,	Daniel Matthewson,	Jesse S. Taylor,
Joseph Dougherty,	Hiram McElroy,	John Tompson,
Cyrenius W. Gilmore,	John S. McFarland,	Marcus L. Williams,
John G. Gooch,	James P. Metcalfe,	James T. Woodward—51.

Mr. Payne, from the committee on Banks, reported a bill to incorporate the Deposit Bank of Paris, Bourbon county, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established the "Deposit Bank of Paris," with a capital of fifty thousand dollars, in shares of fifty dollars each, to be subscribed and paid for by individuals, companies, and corporations, in the manner hereinafter specified; which subscribers and shareholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style aforesaid, and shall so continue a body politic and corporate until the first day of June, 1880; and by that name, under the restrictions hereinafter prescribed, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts and places, and in all matters whatever as natural persons, with full power to acquire, hold, possess, use, occupy, and enjoy, and the same to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of its business, (provided the value thereof shall not exceed ten thousand dollars,) or which may be conveyed to said institution as surety for any debt, or which may be received in discharge of any debt or purchase in satisfaction of any judgment or decree in its favor, or in the purchase of any property on which it may have a lien; and said institution may have and use a common seal—change, alter, and renew the same at pleasure—and may ordain and put in execution such by-laws, rules, and regulations for the government of the same as may be deemed necessary: *Provided*, they be not contrary to the constitution and laws of this state, or the United States.

§ 2. That the business of the institution shall be, to receive money on deposit, upon which it shall pay an interest to the depositor of not more than six per cent., nor less than two per cent. per annum, as it may choose, dependent upon the length of time for which said deposit may be made; to loan money, discount promissory notes and bills of exchange; the promissory notes made payable to any person or persons, or order, or payable to this institution or order, and negotiable and payable at their banking house, or at any bank or office of discount and deposit, or branch of any bank, and indorsed to and discounted by said institution, shall be and they are hereby put upon the same footing as foreign bills of exchange, and remedy may be had, jointly and severally, against the drawers and indorsers, and with like effect, except as to damages, and except that in a regular

course of administration they shall have no other or greater dignity or priority of payment than other notes; and the said institution shall not, directly or indirectly, deal or trade in any thing except loaning of money and exchange, and in gold or silver coin or bullion, or in the sale of goods, chattels, rights and credits, really and truly pledged for money lent and not redeemed in time, or goods which shall be the proceeds of its lands.

§ 3. The institution shall not at any time owe, either by bond, bill, note, or other contract, an amount exceeding twice the amount of capital stock acutually paid in, exclusive of sums due on deposit; and, in cases of excess, the president and directors under whose administration it shall have taken place, shall be liable for any or all the debts of said institution, in their individual capacities, by joint and several actions of debt against them or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of the same, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: *Provided*, that if the president or any of the directors may be absent when the excess may be contracted or created, or being present, shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable under this section, if he or they shall, within ten days from the creation of such excess or dissent thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of the city or county, and, moreover, within ten days give notice thereof in some newspaper printed in Paris, and transmit a copy thereof to the governor of this state, and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do.

§ 4. Said institution shall not, at any time, fail or refuse to pay its deposits in gold or silver, or currency of the like kind and value of that deposited; and, in case the officers, in the usual business hours at their banking house, shall refuse or unreasonably delay payment as aforesaid, then demandable by any person entitled to receive the same, said institution shall be liable to pay damages, at the rate of twelve per cent. per annum, on the amount thereof, from the time of such failure, refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same shall be forfeited, and a *scire facias* shall be sued out in the name of the commonwealth, by the attorney general, and such proceedings be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: *Provided*, said forfeiture shall not be construed to prevent said institution from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contract that may be convenient and proper for that purpose.

§ 5. That the real and personal estate, business, property, funds, and prudential concerns of the said institution shall be under the direction and control of five directors, who shall be stockholders, and after the first election shall have been stockholders at least three months previous to their election; they shall be residents of this state, and citizens of the United States, and after the first election they shall be elected annually on the first Monday in May. Each director shall be a stockholder in his own right. They shall hold their offices for one year, and until their successors shall be chosen. All elections, after the first, shall be conducted by two at least of the stockholders, acting under oath, appointed by the directors. The stockholders so appointed shall give at least thirty days' notice of the time and place of said election. The election shall be by plurality of votes, to be counted and read in public after they are taken. No director or officer of any bank shall be eligible as a director in this institution; and any director becoming a director or officer of a bank, or while under protest in this institution for the non-payment of debt, shall be held to have vacated his office; nor shall two partners in trade, nor shall one partner while another is a director in a bank, be eligible as directors in

this institution, at one and the same time; and if the president or any director or officer of the institution shall fail or become insolvent after his election or appointment, he shall become incapable to serve, and shall be held to have vacated his place; nor shall he be appointed to serve in this institution until his debts are paid, or until he obtains a full discharge from the same; nor shall any one who has ever failed in business be eligible to the office of president, director, or other officer, until all his debts are paid, or he be fully discharged therefrom. If, from any cause, an election should not be held on the day fixed by this charter, it shall be the duty of the board to give notice immediately, as before required, that an election will be held on the first Monday in June following; and said election shall be conducted as required in the regular elections.

§ 6. That at all meetings of the stockholders, and at all elections under this charter, each shareholder shall be entitled to one vote for every share held in his own right, up to ten; one vote for every five shares over ten, up to fifty, and one vote for every ten shares over fifty. After the first election, no share shall entitle the holder to a vote unless the same has been held by the person claiming to vote, at least three months prior to the time, and so appear on the books of the institution. Any stockholder entitled to a vote may do so in person or by proxy; such proxy being granted to a stockholder who is not either president, director, or other officer in the same; and no person who is not a citizen of the United States shall be permitted to vote on his stock.

§ 7. That the directors shall elect one of their own number as president, who shall preside at all meetings; and in case of a vacancy in said office, the residue of the directors shall elect a president, *pro tem.* They shall fill all vacancies which may occur in their own body, and appoint such officers, clerks, and servants as deemed expedient; fix their compensation, define their powers and prescribe their duties, and shall require of them such bonds, penalties, and securities as deemed requisite for the security of the institution; which bonds shall be examined at least once a year, and renewed from time to time, so as to secure the institution from loss; and all such officers shall hold their places during the pleasure of the board.

§ 8. The president and directors (any three of whom may constitute a quorum for the transaction of business,) may, from time to time, make such by-laws, rules and regulations for the government of the institution as deemed expedient, not contrary to the provisions of this charter, or the by-laws and rules which the stockholders at their annual or other meetings may, from time to time, prescribe: *Provided,* that for that purpose a concurrence of a majority of all the directors shall be necessary.

§ 9. The president and directors shall hold stated meetings at least once a week, and called meetings may be had whenever deemed necessary. All questions before the board shall be taken *viva voce;* and the yeas and nays on any proposition submitted shall be entered of record, at the request of any two members; and no vote shall be reconsidered when a less number is present than when the vote was given.

§ 10. It shall be the duty of the president, on the first day of July, 1851, and on the first day of July in each succeeding year, to pay to the treasury of this state twenty-five cents on each one hundred dollars of stock held and paid for in said institution, which shall be in full of all tax or bonus: *Provided,* that the legislature may increase or dimish the same, but at no time shall the tax exceed fifty cents on each one hundred dollars of stock paid for in said institution.

§ 11. That it shall be the duty of the president and directors, and they are hereby required, as often as once every three months, to cause a strict examination to be made of the cash and cash accounts of the institution, and a full and complete statement shall be made out and entered on the journal of the proceedings of the board.

§ 12. That it shall not be lawful for the cashier, clerks, teller, or other subordi-

nate officers, either directly or indirectly, to engage in or carry on any other business than that of said institution, without the special leave of the president and directors, nor shall any of them, either directly or indirectly, become indebted to the same, either as borrower, indorser, surety, or otherwise.

§ 13. That if the cashier, clerks, teller, agent, or other officer shall, without the authority of the president and directors, appropriate any of the funds of said corporation to his own use, or that of any other person, or shall wilfully fail to make correct entries, or shall knowingly make false entries on the books of the institution, with intent to cheat or defraud the corporation or any other person, to hide or conceal any improper appropriation of the funds, the officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this state, for a period of not less than two nor more than twenty years.

§ 14. The president and directors shall keep a record of their proceedings, which they shall produce to the stockholders, when by them demanded at any regular meeting; and they shall be open to inspection by the governor, or by any person duly authorized by him, or to any committee appointed by the legislature.

§ 15. It shall be the duty of the president and directors, during the first week of each session of the legislature, to transmit to the secretary of state an accurate and just statement of the condtion of the institution; which statement shall specify the amount of the stock actually paid in, and the amount not paid in, and the value of the real estate belonging thereto, and its cost; the total amount of debts due to and from the institution; the amount of gold and silver, and other coined metal and bullion on hand; the amount deposited; the amount of bills of banks; the amount of notes and bills of exchange due the same; the rate and amount of each dividend of profits, with the amount of surplus profits or contingent fund; which statement the governor shall cause to be laid before the legislature; and they shall, when required by the legislature, report all bad and doubtful debts.

§ 16. The president, cashier, and other officers, before entering upon the discharge of their respective duties, shall take an oath before some judicial officer, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 17. This institution shall not contract for or receive a greater rate of interest than at the rate of six per cent. per annum for the loan or use of money; and interest on promissory notes, negotiable and payable at the same and there discounted, shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 18. The president and directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for; and the shares of the capital stock shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place as the president and directors shall, by their by-laws, prescribe; certificates of deposit shall be obligatory on said institution, and shall be transferable or assignable, when made payable to order.

§ 19. The general meeting of the stockholders shall be held annually on the first Monday in May in each year, in the town of Paris, at the time of the annual election, to which meeting the president and directors shall present an accurate statement of the condition and affairs of the institution; and general meetings of the stockholders may be called as provided in this charter, or by the president and directors when they deem it desirable, or by any number of the stockholders the by-laws shall require.

§ 20. The legislature shall have the right to investigate the situation and affairs of said institution, by any committee they may appoint for that purpose; and the general court shall have jurisdiction to try the forfeiture of this charter, for the

violation of any of the provisions of the same. The proceedings shall be by *scire facias*, alledging and specifying the acts of forfeiture relied on, and shall only be sued out at the instance of the attorney general, when direeted to do so by the legislature.

§ 21. That Charles Talubtt, James Ingles, Abraham Spears, George W. Williams, William W. Mitchell, Newton B. Rion, William C. Lyle, Noah Spears, Jr., and William Talbott, are hereby constituted commissioners to open books and receive subscriptions for the capital stock of said institution, and to superintend the election of the first board of directors, any three of whom shall be competent to exercise the powers and perform the duties required by this section.

§ 22. The said commissioners shall have power—and they are authorized and required, on the second Monday in April next, or at such other time within two years thereafter as they shall deem expedient, having given not less than thirty days' notice thereof in some newspaper printed in Paris—to open books for the subscription for the capital stock of said institution at Paris, and such other places as they may deem advisable, and cause said books to be kept open from 10 o'clock, a. m., until 2 o'clock, p. m., for at least ten days, or until at least five hundred shares shall have been subscribed, when the same may be closed; and if more than one thousand shares shall have been subscribed by individuals, companies, and corporations, the commissioners shall deduct the excess from the largest subscription, in such manner that no subscription shall be reduced, and leave the subscription of another larger.

§ 23. That if the whole one thousand shares of capital stock shall not be taken when the books shall first be opened, the president and directors may cause the books to be opened at any time and place they may direct, giving thirty days' notice thereof in some newspaper, and cause them to be kept open not less than ten days, or until the whole of the balance of the stock shall have been taken; and the president and directors may require such premium on the stock sold at the reopening of the books as they shall deem right; and such premium shall be the property of the institution.

§ 24. That when not less than five hundred shares of the capital stock shall have been taken, and the commissioners shall have closed the books, it shall be their duty to give notice in some newspaper, and appoint a day in Paris for the election of the first board of directors, who shall hold their offices until the succeeding annual election; and not less than thirty nor more than sixty days' notice shall be given of the time and place of electing said board; and at least three of said commissioners shall act as inspectors of said election, and shall take the proper oath and perform all the duties of inspectors of elections in like cases.

§ 25. That the payment of the shares of the capital stock held by individuals, companies, and corporations, shall be made in gold and silver, or notes of either of the banks or branch banks in this state, and at the times and in the manner following, viz: five dollars on each share, to the commissioners at the time of subscribing, and five dollars on each share, within ten days after the election of the first board of directors, and five dollars every sixty days thereafter, until the whole amount of said stock is paid: *Provided*, that the board shall have power to prolong the time for the payment of each installment after one half the amount of each share shall have been paid.

§ 26. That should any of the subscribers to the stock of said institution fail or refuse to pay for their stock as herein provided, the president and directors, first giving public notice in two or more newspapers for the space of thirty-days, by resolution entered on the records, may forfeit such stock, and proceed at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the institution.

§ 27. That so soon as five thousand dollars of the capital stock shall have been paid by individuals, companies, or corporations, as heretofore required, the presi-

dent and directors shall cause the governor to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in, and to take the oath of the president and at least two of the directors, that the same has been paid in as capital stock, *bona fide*, and make due return thereof to him; and, on such appearing to be the fact, the governor is authorized to issue his proclamation that the amount hereby required to be paid in, and the funds herein required, has been done; and the said institution is then hereby authorized to commence operations.

§ 28. That no one individual, company, or corporation, shall be allowed to hold more than one hundred shares of the capital stock of this institution, either in their own names or in the names of others in order to transfer them; and all stock that any individual, company, or corporation, shall take or hold contrary to this provision, shall be forfeited to the institution for the benefit of the other stockholders; and no individual, company, or corporation, shall be allowed, in person or by proxy, to vote at the first election of directors, on any stock which may stand in his, her, or their names, without first making oath that the stock *bona fide* belongs to them, and is not held in trust for others.

§ 29. That it shall not be lawful for the president or any of the directors to become bound as security or accommodation indorser on any note or bill discounted in said institution; and a violation of the provisions of this section shall subject the person violating the same to a penalty of one thousand dollars, to be recovered by action of debt in the name of the corporation, for its own use and benefit.

§ 30. That said institution shall not make any loan of money or discount any note or bill in any case whatever, for the purpose of enabling any individual to make payment for its own stock; and no stockholder shall be allowed to pay any debt he may owe the same, by the surrender of stock; and stockholders who shall become indebted to the institution, shall be compelled to pay their debts in all respects as other persons dealing with the same; nor shall any stockholder be allowed to make payment of the shares of stock held by him or them, by means of loan or loans obtained from the institution.

§ 31. That the real estate purchased by this institution, or the legal title of which shall be acquired in any way, (except such as may be held for the purposes mentioned in the first section of this act,) shall be sold within five years after it shall have perfected its title thereto; and on their failure to comply with the provisions of this section, the same shall vest in the commonwealth.

§ 32. That it shall not be lawful for said institution to issue any note or bill to be passed and used as currency; and if it shall so presume to do, the charter shall be forfeited, as provided in the fourth section of this act.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. McElroy and Churchill, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	William B. Murphy,
James M. Alexander,	Cyrenius W. Gilmore,	Thomas Y. Payne,
John B. Arnold,	Wm. H. Grainger,	Edward C. Purdy,
Robert A. Athey,	P. B. Hawkins,	Thomas W. Riley,
R. T. Baker,	Randall G. Hays,	John Rodman,

Wm. Beeler,	Stilwell Heady,	Albert G. Talbott,
Wm. S. Black,	Lysander Hord,	Ambrose H. Talbott,
George I. Brown,	Samuel B. Jesup,	Jesse S. Taylor,
George P. Brown,	George W. Kavanaugh,	Thomas Todd,
George R. Burgess,	Samuel A. Kingman,	Thomas W. Varnon,
Wm. H. Calvert,	Hiram Klette,	William T. Ward,
Robert H. Campbell,	Joseph H. Lewis,	Elisha F. Wells,
George T. Campbell,	Andrew S. Linn,	G. W. Williams, of B.
Edward F. Dulin,	Caleb W. Logan,	G. W. Williams, of H.
Alvin Duvall,	John S. McFarland,	Marcus L. Williams,
Robert English,	James P. Metcalfe,	James T. Woodward,
Richard H. Field,	Strother D. Mitchell,	Edmund Wooldridge—53.
Bernard H. Garrett,	Joel Murphy,	

Those who voted in the negative, were

James B. Allen,	Wm. M. Gray,	Benjamin L. Owens,
Wm. Bradley,	Wm. M. Green,	Joel Owsley,
John B. Bruner,	Thomas S. Grundy,	Julian N. Phelps,
Alexander P. Churchill,	George M. Hampton,	Burwell C. Ritter,
Henry R. D. Coleman,	Peter Lashbrooke,	Joseph W. Rowlett,
John W. Cook,	Preston H. Leslie,	John Shawhan,
Asbury Dawson,	George W. Mansfield,	Basil G. Smith,
Joseph Dougherty,	Daniel Matthewson,	Wm. T. Terrill,
Edgar B. Gaither,	Hiram McElroy,	John F. Todd,
William H. Gardner,	George H. Morrow,	John Tompson—31.
Alfred F. Graham,		

Mr. Kavanaugh moved a reconsideration of the vote rejecting the bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Georgetown, approved February 23, 1837.

Ordered, That the further consideration of said motion be postponed.

Mr. N. Green, from a select committee, made the following report, accompanied with a resolution, which is as follows, viz:

The undersigned committee, to whom was referred a resolution instructing them to "inquire what number of copies of the Debates of the Convention, above the wants of the State Library, are in the care of the Secretary of State, or elsewhere, subject to the disposition of the Legislature, and what disposition, if any, should be made of the surplus copies on hand," have taken proper consideration of the same, and beg to report:

First, your committee find, by resolution of the Convention, adopted on the 4th day of October, 1849, that five hundred copies of the debates were ordered, of which, after distribution according to resolution of the Convention, on the 14th of December, 1849, about one hundred and fifty copies are properly deposited, and remaining in the Public Library.

Second, that by resolution of the Convention, adopted on the 10th day of June, 1850, an additional order of four hundred copies of the debates was made, with provision for the distribution to persons and offices therein specified, of certain copies, to the number of two hundred and twenty-two, and that "the residue be delivered over to the Secretary of State, subject to the disposition of the Legislature." Such remainder, amounting to one hundred and seventy-eight copies, your committee find properly in the care of the Secretary of State, though yet unremoved from the bindery, for want of actual room to set them up in the Library.

Your committee, being advised that the number now lodged in the State Library is fully five times greater than its prudent wants, or than economy and conveni-

ence would indicate, and believing that the moulding of these volumes in damp store-houses, as prey for vermin, will not contribute to make known their wise teachings to sister States, or diffuse their valuable information among the inhabitants of our own Commonwealth, can see no better disposition to effect such general distribution as they deem desirable, than to give one copy to each State and Territory of the Union, and send one into each county of this State, in the hands of their present representatives in the General Assembly.

To this conclusion you committee were further induced, from a deep sense of the peculiar obligations and duties of the present General Assembly, and their great necessity of a correct and thorough understanding of the true intent and spirit of our present constitution.

Your committee, therefore, recommend the adoption of the following joint resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby directed to distribute to the Governors of the several States and Territories of the Union, respectively, one copy, and to each member of the present General Assembly, one copy of the Debates of the Convention, out of the number delivered to his care by order of a resolution of said Convention, adopted June the 10th, 1850; and that he be further directed to place the remainder of said debates in the Public Library.

The House then took up the resolution from the Senate, to furnish the members of the General Assembly with the Debates of the Convention.

The said resolution was twice read and concurred in.

On motion of Mr. Wooldridge,

Ordered, That the penal code prepared by S. S. Nicholas, be referred to Messrs. Wooldridge, McElroy, Kingman, Gaither, Rodman, and Ward.

Mr. J. M. Alexander read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint resolution heretofore adopted for a recess, to take place on the 20th of this month, and close on the 6th of January, 1851, be and the same is hereby rescinded.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with,

The question was then taken on the adoption of said resolution, and decided in the negative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Baker, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Norvin Green,	Julian N. Phelps,
James B. Allen,	Thomas S. Grundy,	Edward C. Purdy,
John B. Arnold,	Randall G. Hays,	Joseph W. Rowlett,
William Bradley,	Samuel B. Jesup,	John L. Sallee,
John B. Bruner,	George W. Kavanaugh,	John Shawhan,
Winston J. Davie,	Daniel Landes,	Basil G. Smith,
Asbury Dawson,	George W. Mansfield,	Jesse S. Taylor,
Joseph Dougherty,	George H. Morrow,	Thomas Todd—26.
Bernard H. Garrett,	Joel Owsley,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	William B. Murphy,
Robert A. Athey,	William H. Grainger,	Benjamin L. Owens,
R. T. Baker,	William M. Gray,	Thomas Y. Payne,
William Beeler,	William M. Green,	William Preston,
William S. Black,	George M. Hampton,	Thomas W. Riley,
George I. Brown,	Samuel Hanson,	Burwell C. Ritter,
George P. Brown,	P. B. Hawkins,	John Rodman,
George R. Burgess,	Sidwell Heady,	C. C. Rogers,
William H. Calvert,	Lysander Hord,	George W. Silvertooth,
Robert H. Campbell,	Samuel A. Kingman,	Albert G. Talbott,
George T. Campbell,	Hiram Klette,	Ambrose H. Talbott,
Henry R. D. Coleman,	Peter Lashbrooke,	William T. Terrill,
John W. Cook,	Preston H. Leslie,	John F. Todd,
Lucius Desha,	Joseph H. Lewis,	John Tompson,
Edward F. Dulin,	Andrew S. Linn,	Thomas W. Varnon,
Alvin Duvall,	Caleb W. Logan,	William T. Ward,
Robert English,	Daniel Matthewson,	Elisha F. Wells,
Richard H. Field,	Hiram McElroy,	G. W. Williams, of B.
Edgar B. Gaither,	John S. McFarland,	G. W. Williams, of H.
Wm. H. Gardner,	James P. Metcalfe,	Marcus L. Williams,
Samuel L. Geiger,	Strother D. Mitchell,	James T. Woodward,
Cyrenius W. Gilmore,	Joel Murphy,	Edmund Wooldridge—67.
John G. Gooch,		

The House again resumed the consideration of the bill to establish twelve Judicial Circuit Districts, the amendment proposed by Mr. McElroy, and the amendment of Mr. W. M. Green to the amendment of Mr. McElroy.

Mr. Grainger then withdrew his motion to reconsider the vote of yesterday, refusing to lay on the table said bill and amendments.

The question was then taken on the adoption of the amendment proposed by Mr. W. M. Green, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Gaither, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Thomas S. Grundy,	Burwell C. Ritter,
John B. Bruner,	P. B. Hawkins,	John Rodman,
Asbury Dawson,	Randall G. Hays,	C. C. Rogers,
Edward F. Dulin,	Samuel A. Kingman,	Joseph W. Rowlett,
Robert English,	Hiram Klette,	Basil G. Smith,
Edgar B. Gaither,	Peter Lashbrooke,	Ambrose H. Talbott,
William H. Gardner,	Joseph H. Lewis,	Jesse S. Taylor,
Samuel L. Geiger,	George W. Mansfield,	John F. Todd,
Cyrenius W. Gilmore,	John S. McFarland,	John Tompson,
Alfred F. Graham,	James P. Metcalfe,	William T. Ward,
William M. Gray,	Benjamin L. Owens,	G. W. Williams, of B.
Norvin Green,	Joel Owsley,	G. W. Williams, of H.
William M. Green,	Edward C. Purdy,	Edmund Wooldridge—39.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Lucius Desha,	Daniel Matthewson,
James B. Allen,	Joseph Dougherty,	Hiram McElroy,
John B. Arnold,	Alvin Duvall,	Strother D. Mitchell,

Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Richard H. Field,
Bernard H. Garrett,
John G. Gooch,
Wm. H. Grainger,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Thomas Y. Payne,
Julian N. Phelps,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
William T. Terrill,
Thomas Todd,
Thomas W. Varnon,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—51.

Mr. J. F. Todd moved an amendment to said bill.

On motion of Mr. McElroy,

Ordered, That the further consideration of said bill and amendments be postponed for the present.

A bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts, was read the first time, and ordered to read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. McElroy moved the following resolution, viz:

Resolved, That the bill to establish twelve Judicial Circuit Districts, and the pending amendments, and the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts, be referred to the committee of the whole, and made the special order of the day for the 13th day of January next.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Varnon, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James B. Allen,
Robert A. Athey,
R. T. Baker,
William Beeler,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
George W. Silvertooth,
Basil G. Smith,
Jesse S. Taylor,
John F. Todd,

Asbury Dawson,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Cyrenius W. Gilmore,
John G. Gooch,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Thomas Todd,
John Tompson,
William T. Ward,
Elisha F. Wells,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—70.

Those who voted in the negative, were

James M. Alexander,
John B. Arnold,
William S. Black,
Henry R. D. Coleman,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Bernard H. Garrett,
Samuel L. Geiger,
Stilwell Heady,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
James P. Metcalfe,
Wm. B. Murphy,
Joel Owsley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Ambrose H. Talbott,
William T. Terrill,
Thomas W. Varnon,
G. W. Williams, of B—24.

A message was received from the Senate, by Mr. Pope, asking leave to withdraw their report, announcing the passage of a bill from the House, entitled, an act to amend an act for the benefit of William Joshua Barney and Georgiana, his wife, which was granted and the same was withdrawn.

On motion of Mr. Churchill, leave was given to bring in a bill to regulate the buying and selling of beef cattle in the city of Louisville.

Ordered, That Messrs. Churchill, Preston, Williams, of Bourbon, Wells, and Logan, prepare and bring in the same.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Rodman—A bill to repeal the 3rd section of the act to amend the laws relating to the town of Frankfort, approved February 21, 1849.

By Mr. N. Green—A bill to incorporate the Henry Female College.

By the committee on Propositions and Grievances—A bill to authorize the election of certain officers in the city of Maysville.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill to authorize the County Court of Shelby to subscribe stock in Roads—reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY, DECEMBER 19, 1850.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to authorise and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

That they had passed bills from this House, of the following titles, viz:

An act in relation to the duties of Assessors of Tax.

An act to amend an act for the benefit of William Joshua Barney and Georgiana, his wife.

With amendments to each.

That they had passed bills and a resolution of the following titles, viz:

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

A resolution concerning the pay of the members of the General Assembly.

The amendments proposed by the Senate to a bill from this House, entiled, an act to amend an act for the benefit of William Joshua Barney and Georgiana, his wife, were taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act for the benefit of A. G. Hodges and Thomas S. Page, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by Messrs. Shawhan and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Thomas S. Grundy,	Thomas Y. Payne,
James M. Alexander,	P. B. Hawkins,	Wm. Preston,
John B. Arnold,	Randall G. Hays,	Edward C. Purdy,
Robert A. Athey,	Lysander Hord,	Burwell C. Ritter,
R. T. Baker,	Samuel B. Jesup,	John Rodman,

William S. Black,	Samuel A. Kingman,	C. C. Rogers,
George I. Brown,	Hiram Klette,	Basil G. Smith,
John B. Bruner,	Peter Lashbrooke,	Albert G. Talbott,
Wm. H. Calvert,	Preston H. Leslie,	Ambrose H. Talbott,
Robert H. Campbell,	Andrew S. Linn,	Jesse S. Taylor,
George T. Campbell,	Caleb W. Logan,	Thomas Todd,
Alexander P. Churchill,	George W. Mansfield,	Thomas W. Varnon,
Joseph Dougherty,	John S. McFarland,	William T. Ward,
Edward F. Dulin,	James P. Metcalfe,	Elisha F. Wells,
Alvin Duvall,	Strother D. Mitchell,	G. W. Williams, of B.
William H. Gardner,	George H. Morrow,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Joel Murphy,	Marcus L. Williams,
William H. Grainger,	William B. Murphy,	James T. Woodward,
Norvin Green,	Benjamin L. Owens,	Edmund Wooldridge—53.
William M. Green,		

Those who voted in the negative, were

William Bradley,	Alfred F. Graham,	Julian N. Phelps,
Henry R. D. Coleman,	William M. Gray,	Joseph W. Rowlett,
Winston J. Davie,	George M. Hampton,	John L. Sallee,
Lucius Desha,	Stilwell Heady,	John Shawhan,
Bernard H. Garrett,	Joel Owsley,	William T. Terrill—15.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Greenville Institute.

2. An act to amend an act, entitled, an act for the benefit of Common Schools in Graves county, and for other purposes.

3. An act for the benefit of Iron Masters in Caldwell county.

4. An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

5. An act for the benefit of John Raymon.

6. An act for the benefit of Ephraim Smith.

7. An act to incorporate Hancock Division, No. 12, Sons of Temperance, of the State of Kentucky.

8. An act to regulate the division of Hancock county into Magistrates' and Constables' districts.

9. An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, 4th, 8th, and 9th were severally ordered to be engrossed and read a third time, the 2d was referred to the committee on Education, and the 5th, 6th, and 7th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 8th, and 9th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, by Mr. Magoffin, asking leave to withdraw their report announcing the passage of a bill from this House, entitled an act in relation the duties of Assessors of Tax, with an amendment, which was granted, and the same was withdrawn.

A resolution from the Senate to add Camden M. Ballard, to the committee to visit the Institution for the Blind and Marine Hospital, was taken up and amended, and as amended was twice read and concurred in

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

An act to amend the charter of the Lexington and Frankfort Railroad Company, and Louisville and Frankfort Railroad Company.

Resolution to furnish the members and officers of the General Assembly with the Debates of the Convention.

A resolution authorizing the Second Auditor to issue warrants for the pay of the officers of the General Assembly.

And bills which originated in this House, of the following titles, viz:

An act for the benefit of James H. and Joseph F. Curd, administrators of E. H. Curd, deceased.

An act relative to the town of Cynthiana.

An act to appoint Oscar Pepper in the place of Charles Cotton, to lay off Woodford county into Magistrates' and Constables' Districts, and for other purposes.

An act to incorporate McKee Lodge, No. 144, of Free and Accepted Masons.

An act to incorporate Moore Lodge, No. 96, of Free and Accepted Masons.

An act making provision for running and marking the lines of Cumberland and Adair counties.

An act for the benefit of William Burke, a Justice of the Peace of Marion county.

An act to require the Attorney General to perform certain duties in regard to the Owingsville and Big Sandy Turnpike Road Company.

An act to incorporate Trustees of the United Baptist Meeting House in Tompkinsville.

An act for the benefit of Samuel P. Davidson, late Deputy Sheriff of Floyd county.

An act to incorporate the Hebrew Beneficial Society of Louisville.

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

An act to appoint M. T. Hall one of the Commissioners to lay off

Warren county into Magistrates' and Constables' Districts, and for other purposes.

An act to incorporate Tompkins Lodge, No. 178.

An act to incorporate the town of Hardinsville, in Shelby county.

An act to incorporate the German Roman Catholic St. Alphonsas Liebisbund Benevolent Society, of Louisville.

An act for the benefit of Charles Rice, of Carter county.

An act for the benefit of William R. Moore, of Todd county.

An act for the benefit of John Lyon, of Monroe county.

An act to repeal part of an act to permit the citizens of Louisa to vote for or against tavern licenses, and for other purposes.

An act for the benefit of James Ashcraft, of Grant county.

An act incorporating Edmonton Division No. 129, Sons of Temperance.

An act to incorporate the Savings Bank of Fleming county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Ward, from the committee on Federal Relations, asked to be discharged from the further consideration of the resolution moved by Mr. Duvall on the 9th instant, which was granted.

1. Mr. Hord presented the memorial of the citizens of Frankfort, in relation to the removal of the Seat of Government.

2. Mr. Kavanaugh presented the petition of sundry citizens of Anderson county, praying the repeal of all laws granting license to peddlers.

Which were received, the reading dispensed with, and referred—the first to the committee appointed in relation to the removal of the seat of Government to Louisville, or some other place, and the 2nd to the committee on Ways and Means.

The House took up the preamble and resolution read and laid on the table by Mr. Payne, on the 9th instant.

The said resolution was then amended by adding thereto the following, viz:

"Or may hereafter be chartered or organized, or to any slack water navigation."

Mr. Rogers moved to postpone the further consideration of said preamble and resolution, till the 10th January next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McFarland and Athey, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Cyrenius W. Gilmore,	George H. Morrow,
R. T. Baker,	John G. Gooch,	Benjamin L. Owens,
Wm. Beeler,	Alfred F. Graham,	Julian N. Phelps,
William S. Black,	Norvin Green,	C. C. Rogers,

William Bradley,	William M. Green,	Joseph W. Rowlett,
George T. Campbell,	Thomas S. Grundy,	John L. Sallee,
Alexander P. Churchill,	George M. Hampton,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	Basil G. Smith,
Winston J. Davie,	George W. Kavanaugh,	Albert G. Talbott,
Lucius Desha,	Hiram Klette,	William T. Terrill,
Joseph Dougherty,	Peter Lashbrooke,	Thomas W. Varnon,
Edward F. Dulin,	Preston H. Leslie,	William T. Ward,
Alvin Duvall,	Caleb W. Logan,	Marcus L. Williams,
Wm. H. Gardner,	George W. Mansfield,	James T. Woodward—44.
Bernard H. Garrett,	James P. Metcalfe,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Lysander Hord,	Edward C. Purdy,
James M. Alexander,	Samuel B. Jesup,	Burwell C. Ritter,
Robert A. Athey,	Samuel A. Kingman,	John Rodman,
George I. Brown,	Andrew S. Linn,	Ambrose H. Talbott,
John B. Bruner,	John S. McFarland,	Jesse S. Taylor,
William H. Calvert,	Strother D. Mitchell,	Thomas Todd,
Robert H. Campbell,	Wm. B. Murphy,	George W. Williams, of B.
William M. Gray,	Joel Owsley,	George W. Williams, of H.
Randall G. Hays,	Thomas Y. Payne,	Edmund Wooldridge—27.

The resolution from the Senate, concerning the pay of the members of the General Assembly, was taken up, twice read, and concurred in.

Mr. W. M. Green moved the following resolution, viz:

Resolved, That 150 copies of the following plans for districting the commonwealth into twelve circuit court judicial districts be printed for the use of the house; and that they be referred to the committee of the whole, to be considered with the other propositions on the same subject, heretofore referred to said committee:

First District—Fulton, Hickman, McCracken, Graves, Calloway, Marshall, Livingston, Crittenden, and Ballard.

Second District—Caldwell, Trigg, Christian, Todd, Muhlenburg, Hopkins, and Union.

Third District—Henderson, Daviess, Hancock, Ohio, Grayson, Breckinridge, Meade, and Hardin.

Fourth District—Butler, Logan, Simpson, Allen, Monroe, Barren, Hart, Edmonson, and Warren.

Fifth District—Cumberland, Clinton, Wayne, Pulaski, Casey, Lincoln, Taylor, Green, Adair, and Russell.

Sixth District—Bullitt, Jefferson, Anderson, Spencer, and Shelby.

Seventh District—Larue, Nelson, Washington, Marion, Mercer, Boyle, and Garrard.

Eighth District—Oldham, Henry, Trimble, Carroll, Owen, Gallatin, Boone, Grant, and Kenton.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas, Harrison, Bourbon, and Scott.

Tenth District—Bath, Fleming, Lewis, Greenup, Carter, Lawrence, Johnson, Montgomery, and Morgan.

Eleventh District—Franklin, Woodford, Jessamine, Fayette, Madison, Estill, and Clarke.

Twelfth District—Rockcastle, Knox, Harlan, Laurel, Whitley, Clay, Perry, Owsley, Letcher, Breathitt, Floyd, and Pike.

First District—Floyd, Pike, Johnson, Lawrence, Carter, Greenup, Lewis, Fleming, Bath, Morgan, and Montgomery.

Second District—Estill, Owsley, Breathitt, Clay, Perry, Letcher, Harlan, Knox, Laurel, Whitley, and Rockcastle.

Third District—Madison, Garrard, Boyle, Mercer, Lincoln, Casey, Pulaski, and Wayne.

Fourth District—Clarke, Bourbon, Fayette, Scott, Woodford, Jessamine, and Franklin.

Fifth District—Mason, Nicholas, Bracken, Harrison, Pendleton, and Campbell.

Sixth District—Kenton, Boone, Carroll, Gallatin, Owen, Trimble, Henry, Oldham, and Grant.

Seventh District—Jefferson, Shelby, Anderson, Bullitt, and Spencer.

Eighth District—Nelson, Washington, Marion, Larue, Hardin, Breckinridge, Meade, and Grayson.

Ninth District—Green, Taylor, Adair, Cumberland, Clinton, Russell, Monroe, Barren, and Hart.

Tenth District—Allen, Warren, Butler, Simpson, Logan, Todd, Ohio, Hancock, Daviess, Muhlenburg, and Edmonson.

Eleventh District—Henderson, Union, Hopkins, Christian, Trigg, and Caldwell.

Twelfth District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, and Crittenden.

Which was adopted.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of William A. Gorham

An act for the benefit of William Fox.

An act for the benefit of School District, No. 8, in Kenton county.

An act to extend the limits of the town of Proctor, in Owsley county.

An act for the benefit of the Pulaski County Seminary.

An act to incorporate the Frankfort Female College.

An act to increase the terms of the Campbell County Court.

An act to amend the several acts incorporating the Versailles and Midway Turnpike Road Company.

An act to repeal the 5th section of the act to amend the laws in relation to the city of Newport, approved March 6, 1850.

An act for the benefit of East Maysville and Railroad Company.

An act for the benefit of James G. Hatcher, committee for Luanna Branham, an idiot of Floyd county.

An act to amend the revenue laws by increasing the tax on Nine and Ten Pin Alleys.

An act to incorporate the Maysville and Bull Creek Plank Road Company.

An act for the benefit of David Howell, and others.

An act for the benefit of the town of Bloomfield.

An act for the benefit of William Harman.

An act for the benefit of Robert W. Walker, of Hickman county.

An act giving the Warren County Court jurisdiction over that portion of the Salt river road within the limits of Warren county.

An act for the benefit of William Milbourne, Jailer of Marion county
Approved December 16, 1850.

A resolution to appoint a committee to inquire into the expediency of removing the seat of government to Louisville, or some other place.

A resolution calling on the Clerk of the Court of Appeals for the amount of his fees. Approved December 16, 1850.

And then the House adjourned.

FRIDAY, DECEMBER 20, 1850.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to repeal the 3d section of the act to amend the laws relating to the town of Frankfort, approved February 21, 1849.

An act to incorporate the Henry Female College.

An act to authorize the election of certain officers in the city of Maysville.

Mr. Gardner presented the remonstrance of sundry citizens of Hart county, against any change in the law in relation to peddlers.

Which was received, the reading dispensed with, and referred to the committee on Ways and Means.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined bills and a resolution which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of A. G. Hodges and Thomas S. Page.

An act to regulate the division of Hancock county into Magistrates' and Constables' Districts.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

Resolution concerning the pay of the members of the General Assembly.

And bills which originated in this House, of the following titles, viz:

An act to repeal the third section of the act to amend the laws relating to the town of Frankfort, approved February 21, 1849.

An act to authorize the election of certain officers in the city of Maysville.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

And then the House adjourned.

MONDAY, JANUARY 6, 1851.

The Speaker laid before the House a communication from the Superintendent of Public Instruction, which is as follows, viz:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION,
LEXINGTON, January 4, 1851.

SIR: I have the honor to inform the House of Representatives, that in accordance with the resolution of that body, my annual report was placed in the hands of the Public Printer, during the recess of the Legislature; and that the body of the report—and a few days afterwards, the appendix to it, will be communicated to the House of Representatives, without delay, in a printed form. Very respectfully,

RO. J. BRECKINRIDGE,
Sup. Pub. Inst.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

1. The Speaker laid before the House the memorial of a citizen of Kentucky, praying for a conventional interest.

2. Mr. Gardner presented the petition of the Trustees of Common School District, No. 29, in Hart county, praying that they be allowed their proportion of the Common School Fund.

3. Mr. Hampton presented the petition of the Trustees of School District, No. 11, in Bath county, praying that their report may be received and allowed.

4. Mr. Garrett presented the petition of the Trustees of School District, No. 13, in Johnson county, praying that the amount which they think they are entitled to may be paid.

5. Mr. Burgess presented the petition of sundry citizens of School District, No. 7, in Lawrence county, praying the passage of a law au-

thorizing them to levy and assess a tax to pay for building a School House, &c.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d, 3d, 4th, and 5th to the committee on Education.

The Speaker laid before the House the report of the Commissioners of the Lunatic Asylum, at Hopkinsville.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on Ways and Means, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. T. Todd read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to order thirty-one salutes to be fired on the 8th instant, in honor of the victory gained by the American Army under Major General Jackson, against the British under General Packenham, on the 8th of January, 1815; also, the same number of guns to be fired on the 22d day of February next, in honor of the birth-day of General Washington, and of the victory obtained by the American Army under Major General Zachary Taylor, in which the Kentucky troops bore a conspicuous and efficient part.

The rule requiring joint resolutions to lie one day on the table having been dispensed with, it was twice read and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. W. M. Green—1. A bill for the benefit of Henry L. Green, of Missouri.

On motion of Mr. Grundy—2. A bill to incorporate the Maxville Magnolia Lodge, No. 201, in Washington county.

On motion of Mr. Baker—3. A bill for the benefit of the Sheriff of Kenton county.

On motion of Mr. Owens—4. A bill to incorporate the Pleasant Hill Baptist Church, in Taylor county.

On motion of Mr. Dougherty—5. A bill to amend the Road Law of Pendleton county.

On motion of Mr. Bruner—6. A bill for the benefit of Flint Island School District, No. 5, in Breckinridge county.

On motion of Mr. Duvall—7. A bill to incorporate a company to construct a Railroad from Georgetown to intersect the Lexington and Frankfort Railroad.

On motion of Mr. A. H. Talbott—8. A bill to amend the Police law of the town of Bedford, Trimble county.

On motion of Mr. Purdy—9. A bill to enlarge the town of New Market, in Marion county.

On motion of same—10. A bill to amend the charter of the Lebanon and Perryville Turnpike Road Company.

On motion of Mr. McFarland—11. A bill for the benefit of the Sheriff of Daviess county.

On motion of Mr. Rowlett—12. A bill to amend the stray laws.

Ordered, That Messrs. W. M. Green, Rodman, and Leslie, prepare and bring in the 1st; Messrs. Grundy, Purdy, and Geiger, the 2d; the committee on the Judiciary the 3d; Messrs. Owens, Dawson, and Hord, the 4th; Messrs. Dougherty, Gray, and Rowlett, the 5th; Messrs. Bruner, Mitchell, and Leslie, the 6th; the committee on Internal Improvement the 7th and 10th; Messrs. A. H. Talbott, G. T. Campbell, and Metcalfe, the 8th; Messrs. Purdy, Hord, and Grundy, the 9th; the committee on Ways and Means the 11th, and Messrs. Rowlett, Dougherty, Graham, and Black, the 12th.

Mr. Black read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor, in settling the accounts and pay of the members and officers of the General Assembly, shall omit the *per diem* pay of said members from the 20th day of December, 1850, to the 6th day of January, 1851.

And then the House adjourned.

TUESDAY, JANUARY 7, 1851.

1. Mr. Tompson presented the petition of sundry citizens of Lewis county, in relation to School District, No. 25.

2. Mr. Metcalfe presented the petition of Thomas J. Fields, praying that a law may pass legitimatizing his son, Horatio Fields, as doubts exist as to the legality of the marriage.

3. Also, the petition of James H. Carpenter, and sundry citizens of Nicholas county, praying for an alteration in the county road leading through the farm of said Carpenter.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education, and the 2d and 3d to the committee on the Judiciary.

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz:

Gentlemen of the Senate
and House of Representatives:

Devotedly attached as Kentucky is to the Union of the States, her citizens, I have no doubt, look with infinite gratification at the popular demonstrations recently made in different quarters of the Commonwealth, in favor of the construction of Railroads from Louisville to Nashville; from a point on the Ohio or Mississippi, to unite with the Mobile road; from Lexington to Covington, uniting with the Lake roads, and from Lexington to Maysville, thence to Big Sandy.

The proposed roads, though they lie within our own State, are essentially national in their character—while they will more closely unite us with, and more firmly bind us to, our sister States on both sides of us—to the North and to the South—they will add immeasurably to the wealth, prosperity, and happiness of our people.

Participating, as I do, in the general feeling of joy that pervades the public mind, at the prospect of a speedy completion of these important enterprises, I beg leave, respectfully, to suggest the propriety of the adoption, by the General Assembly, of resolutions asking, in the name of Kentucky, that the Congress of the United States shall give to us a share of the unappropriated public domain, to aid us in the construction of these great national highways. The importance to the National Government of the projected roads, as the means of rapid communication between the extremes of the Union, will certainly justify the appropriation suggested.

JOHN L. HELM.

On motion of Mr. Payne,

Ordered, That said message be referred to the committee on Federal Relations.

A message was received from the Senate, announcing their concurrence in the amendment of this House, to a resolution from the Senate, to add Camden M. Ballard to the committee to visit the Institution of the Blind, and Marine Hospital.

And their concurrence in a resolution from this House, requesting the Governor to cause salutes to be fired on the 8th of January, and 22d of February next, with an amendment.

The said amendment was then taken up, twice read, and concurred in.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill authorizing the publication of Judicial orders and sales in the public newspapers, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, by Mr. Wallace, announcing that they had appointed a committee on their part, to act in con-

junction with a similar committee on the part of this House, to wait on the Governor, and ask leave to withdraw from him an enrolled bill which originated in the Senate, entitled, an act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

Whereupon, Messrs. A. G. Talbott, Varnon, and T. Todd, were appointed the committee on the part of this House.

After a short time, the committee reported that they had performed the duty assigned them, and returned the bill to the House.

Mr. A. G. Talbott moved a reconsideration of the vote passing said bill.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. A. G. Talbott,

Ordered, That said bill be referred to the committee on Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to confirm a sale made to S. S. Atwell, by the Second Auditor, of a house and lot in Brandenburg.

By same—2. A bill to amend an act, entitled, an act to amend the charter of the town of Bowlinggreen, approved 5th March, 1850.

By same—3. A bill to establish the Police Court of Flemingsburg.

By same—4. A bill to amend an act, entitled, an act for the benefit of the soldiers of the late war with England, &c.

By Mr. Owsley—5. A bill for the benefit of Allen C. Scott.

By Mr. Desha—6. A bill to incorporate Warren Lodge, No. 110, of Free and Accepted Masons.

By Mr. A. H. Talbott—7. A bill to amend the Police Law of the town of Bedford, in Trimble county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, who were appointed to prepare and bring in the same, reported a bill for the benefit of the Sheriff of Daviess county, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Sheriff of Daviess county be allowed until the 15th day of June next, to pay into the Treasury the sum of three thousand dollars of the revenue, due from said county for the year 1850: *Provided*, That

the securities of said Sheriff in his official bond, give their assent in writing to the indulgence herein granted, on or before the first day of April next, which shall be signed and acknowledged by said securities before the Clerk of the Daviess County Court, and by him filed and kept in his office; and of the execution and filing of which, he is required to notify the Second Auditor.

And objection being made to the second reading of said bill, the question was then taken, shall said bill be rejected? and it was decided in the negative; and so said bill was ordered to be read a second time.

The yeas and nays being required thereon by Messrs. Landes and Dawson, were as follows, viz:

Those who voted in the affirmative, were

William S. Black,	Norvin Green,	Joel Owsley,
William Bradley,	William M. Green,	Thomas Y. Payne,
John B. Bruner,	George M. Hampton,	C. C. Rogers,
George R. Burgess,	Stilwell Heady,	Joseph W. Rowlett,
George T. Campbell,	Daniel Landes,	John L. Sallee,
Asbury Dawson,	Peter Lashbrooke,	John Shawhan,
Lucius Desha,	Joseph H. Lewis,	Albert G. Talbott,
Joseph Dougherty,	Daniel Matthewson,	William T. Terrill,
Alfred F. Graham,	George H. Morrow,	John Tompson—23.
William M. Gray,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Morton P. Moore,
James B. Allen,	Cyrenius W. Gilmore,	Joel Murphy,
John B. Arnold,	William H. Grainger,	William B. Murphy,
Robert A. Athey,	Thomas S. Grundy,	Benjamin L. Owens,
R. T. Baker,	Samuel Hanson,	Edward C. Purdy,
William Beeler,	Randall G. Hays,	John Rodman,
George I. Brown,	Lysander Hord,	Basil G. Smith,
Wm. H. Calvert,	Samuel B. Jesup,	Ambrose H. Talbott,
Robert H. Campbell,	Samuel A. Kingman,	Jesse S. Taylor,
John W. Cook,	Hiram Klette,	Thomas Todd,
Winston J. Davie,	Preston H. Leslie,	Thomas W. Varnon,
Edward F. Dulin,	Andrew S. Linn,	William T. Ward,
Alvin Duvall,	Caleb W. Logan,	G. W. Williams, of B.
Robert English,	George W. Mansfield,	G. W. Williams, of H.
Richard H. Field,	William C. Marshall,	Marcus L. Williams,
Edgar B. Gaither,	John S. McFarland,	James T. Woodward,
William H. Gardner,	James P. Metcalfe,	Edmund Wooldridge—53.
Bernard H. Garrett,	Strother D. Mitchell,	

Leave was given to bring in the following bills, viz:

On motion of Mr. Gaither—1. A bill for the benefit of Fletcher District, No. 39, in Adair county.

On motion of Mr. Black—2. A bill to amend the Road Laws of this Commonwealth.

On motion of Mr. Burgess—3. A bill declaring Three Mile, in Lawrence county, navigable.

On motion of Mr. Woodward—4. A bill for the benefit of William Woodcock, Clerk of the Circuit and County Courts of Clay county.

On motion of same—5. A bill for the benefit of School District, No. 6, in Clay county.

On motion of Mr. Moore—6. A bill for the benefit of William Abner, late Sheriff of Owsley county.

On motion of Mr. Linn—7. A bill for the benefit of the Sheriff of Grant county.

On motion of Mr. M. L. Williams—8. A bill to charter a company to construct a Plank Road from Catlettsburg, to the crossing of Little Sandy, in Carter county.

On motion of Mr. G. W. Williams, of Hancock—9. A bill to enlarge the jurisdiction of the Police Judge of the town of Hartford.

On motion of Mr. Allen—10. A bill to amend and re-enact an act, entitled, an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

On motion of Mr. N. Green—11. A bill to amend the law incorporating the town of New Castle.

On motion of Mr. G. I. Brown—12. A bill to amend the charter of the Nicholasville and Jessamine county Turnpike Road Company.

On motion of Mr. Varnon—13. A bill to charter a company to build a Turnpike Road from Stanford to Hustonville.

On motion of Mr. Mitchell—14. A bill for the benefit of the heirs of James G. Hazlerigg.

On motion of Mr. Rodman—15. A bill for the benefit of James S. Crutchfield, administrator of Edward M. Taylor, late Sheriff of Oldham county.

On motion of Mr. Rowlett—16. A bill for the benefit of Common School District, No. 26, in Owen county.

On motion of Mr. Dawson—17. A bill to incorporate Simpson Division, No. 75, Sons of Temperance.

On motion of Mr. McElroy—18. A bill to defray the expenses of the contested election from the county of Garrard.

On motion of Mr. Garrett—19. A bill for the benefit of Common Schools in Floyd county.

Ordered, That Messrs. Gaither, Leslie, and J. M. Alexander, prepare and bring in the 1st; Messrs. Black, Gray, Terrill, Hampton, Rowlett, and Burgess, the 2d; Messrs. Burgess, Mitchell, and Woodward, the 3d; the committee on Propositions and Grievances the 4th; the committee on Education the 5th and 19th; Messrs. Moore, Woodward, and Cain, the 6th; Messrs. Linn, Purdy, and Varnon, the 7th; the committee on Internal Improvement the 8th, 10th, and 13th; the committee on the Judiciary the 9th, 11th, and 17th; Messrs. G. I. Brown, Baker, and Athey,

the 12th; Messrs. Mitchell, Leslie, and Bruner, the 14th; Messrs. Rodman, W. M. Green, and Kingman, the 15th; Messrs. Rowlett, Hampton, Heady, Gray, and Tompson, the 16th; and the committee on Claims the 18th.

On motion of Mr. Leslie,

Ordered, That the Public Printer forthwith print 150 copies of a substitute which he intends offering in lieu of the bill to divide the State into Appellate Judicial Districts.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in this House, requesting the Governor to cause salutes to be fired on the 8th of January, and 22d of February next, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

On motion of Mr. Hanson,

Ordered, That the bill to apportion representation, which had heretofore been referred to a committee of the whole, be made the special order of the day for the 20th day of January next.

On motion of Mr. G. I. Brown,

Resolved, That this House now adjourn until Thursday next at 10 o'clock, A. M.

THURSDAY, JANUARY 9, 1851.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to repeal an act declaring Whippoorwill a navigable stream.

An act to reduce the corporate limits of the town of Monticello.

That they had passed a bill, entitled, an act allowing an additional District in Wayne and Pulaski counties, for the election of Magistrates and Constables, and for other purposes.

1. Mr. Moore presented the petition of sundry citizens of Estill coun-

ty, praying that the proceeds of the sale of Mount Tabor Church, in said county, may be appropriated to the erection of another Church.

2. Also, the petition of sundry citizens of Estill county, praying that Thomas Martin may be permitted to keep tavern without paying license.

3. Mr. Duvall presented the petition of sundry citizens of Scott county, praying a repeal of the law granting licenses to peddlers.

4. Mr. Williams, of Bourbon, presented the petition of the stockholders of the Cynthiana and Millersburg Turnpike Road, in relation to the toll gates on said road.

5. Also, the petition of the citizens of the town of Paris, in relation to the Covington and Lexington Railroad.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Religion; the 2d to the committee on Ways and Means; the 3d to the committee on Propositions and Grievances, and the 4th and 5th to the committee on Internal Improvement.

Mr. W. M. Green, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Henry L. Green, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Riley—1. A bill to authorize the County Court of Nelson to subscribe stock in the Louisville and Nashville Railroad Company, if the citizens of said county shall elect to submit to an ad valorem tax to pay said subscription.

On motion of Mr. Ward—2. A bill to incorporate a Female College in the town of Greensburg.

On motion of Mr. Duvall—3. A bill to incorporate the Georgetown and Lemon Mill Turnpike Road Company.

On motion of same—4. A bill to incorporate the South Elkhorn and Midway Turnpike Road Company.

On motion of Mr. Athey—5. A bill to incorporate Lexington Division, Sons of Temperance.

On motion of Mr. Allen—6. A bill to incorporate the Mount Zion Cumberland Presbyterian Church, in Henderson county.

On motion of Mr. Black—7. A bill to declare Little Sandy navigable to the mouth of Laurel Creek, in Morgan county.

Ordered, That Messrs. Riley, Ward, Lewis, and Mansfield, prepare and bring in the 1st; the committee on Education the 2d; Messrs. Duvall, Metcalfe, and Hanson, the 3d; Messrs. Duvall, R. H. Campbell, and Desha, the 4th; Messrs. Athey, Wooldridge, and Dulin, the 5th;

the committee on Religion the 6th; and Messrs. Black, Gray, Hampton, and Phelps, the 7th.

And then the House adjourned.

FRIDAY, JANUARY 10, 1851.

On motion of Mr. T. Todd,

Ordered, That Mr. Metcalfe be added to the committee on Propositions and Grievances.

The Speaker laid before the House the annual Report of the Second Auditor, which is as follows, viz:

AUDITOR'S OFFICE,
FRANKFORT, Jan. 10, 1851.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: I enclose the Annual Report from this Department, for the fiscal year 1849–'50. I am, respectfully,

THO. S. PAGE, *2d Auditor.*

[*For Report—see Legislative Documents.*]

1. Mr. Desha presented the petition of H. Coffman, and others, for the passage of an act authorizing him to distrain for the collection of certain fees due said Coffman.

2. Mr. Dulin presented the petition of sundry citizens of Fleming county, praying for the removal of the seat of justice of said county.

3. Mr. Desha presented the petition of D. Woodruff, praying the passage of a law allowing him to collect his fees as a Justice of the Peace.

4. Mr. Dulin presented the remonstrance of sundry citizens of Fleming county, against the removal of the seat of justice of said county.

5. Mr. Desha presented the petition of Paul King, praying the passage of an act permitting him to place Bartlett King in the Lunatic Asylum, at Lexington.

6. Mr. Matthewson presented the petition of sundry citizens of Calloway county, praying for a change of the time of holding, and an extension of the terms of the Calloway Circuit Court.

7. Mr. Payne presented the petition of sundry citizens of Mayslick, in Mason county, praying a change of the laws in relation to said town.

8. Mr. G. I. Brown presented the petition of sundry citizens of Jessamine county, praying a repeal of the law granting licenses to peddlers.

9. Mr. A. G. Talbott presented the memorial of the President and members of the Board of Trustees of the Deaf and Dumb Asylum at Danville.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 5th, and 7th, to the committee on the Judiciary; the 2d and 4th to the committee on Propositions and Grievances; the 6th to the committee on Circuit Courts; and the 8th and 9th to the committee on Ways and Means.

Ordered, That the Public Printer forthwith print 150 copies of the 9th for the use of the members of the General Assembly.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition and remonstrance of the citizens of Stanford, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred the petition of Eliza Ann Williams, and the petition of a citizen of Kentucky, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

1. An act to incorporate Hancock Division, No. 12, Sons of Temperance.

2. An act for the benefit of Ephraim Smith.

3. An act to amend an act, entitled, an act for the benefit of Common Schools in Graves county, and for other purposes.

Reported the 1st and 3d without, and the 2d with an amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—A bill to incorporate the Hall of Simpson Division, No. 75, Sons of Temperance.

By Mr. Black—A bill for the benefit of Jesse Casity, late Sheriff of Morgan county.

By Mr. Burgess—A bill to repeal so much of an act, approved February 23, 1849, as declares Three Mile Creek, in Lawrence county, a navigable stream.

By Mr. Purdy—A bill to enlarge the limits of the town of New Market, in Marion county.

By same—A bill to incorporate Magnolia Lodge, No. 201, of Free and Accepted Masons.

By Mr. Wells—A bill to extend the duty of the Commissioners of Tax.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Preston, from the committee on the Code of Practice, moved the following resolution, viz:

Resolved, That in the opinion of this House, it will be expedient for the expedition of business, that all contemplated amendments to the Code of Practice, reported by the Commissioners, shall be proposed in writing, and referred to the committee on the Code of Practice, for their consideration, before the 25th of January.

Which was adopted.

Mr. Kavanaugh moved the following resolution, viz:

Resolved, That after Monday next, this House will meet at 9 o'clock in the morning, and will also hold evening sessions, meeting at 3 in the evening.

Which was adopted.

Mr. Davie moved the following resolution, viz:

Resolved, That the afternoon session shall be devoted exclusively to the consideration of the Revised Statutes, and Code of Practice.

On motion of Mr. Hanson,

Ordered, That said resolution be laid on the table for the present.

Leave was given to bring in the following bills, viz:

On motion of Mr. A. G. Talbott—1. A bill to incorporate Harvey Maguire Lodge, No. 209, Free and Accepted Masons.

On motion of Mr. J. Murphy—2. A bill to construct a Turnpike, Plank, or Gravel Road, from Liberty, in Casey county, to Hustonville, in Lincoln county.

On motion of same—3. A bill for the benefit of School Distriot, No. 33, in Casey county.

On motion of same—4. A bill for the benefit of Charles P. Tate, late Sheriff of Casey county.

On motion of same—5. A bill for the benefit of James Clarke, late Sheriff of Casey county.

On motion of Mr. Bruner—6. A bill to repeal an act establishing a Police Court in the town of Hardinsburg.

On motion of Mr. Coleman—7. A bill to incorporate the town of Clementsburg, in the county of Crittenden.

On motion of Mr. Dulin—8. A bill to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and to declare the same a county road.

On motion of Mr. Linn—9. A bill to establish the town of Crittenden, in the counties of Grant, Boone, and Kenton.

On motion of same—10. A bill to amend an act, entitled, an act to amend the jury laws, approved February 23, 1846.

On motion of Mr. Geiger—11. A bill for the benefit of Flora Dupuy.

On motion of Mr. Moore—12. A bill to allow William Morris, Sheriff of Owsley county, further time to collect a portion of the revenue of said county for the year 1850.

On motion of Mr. Lashbrooke—13. A bill to incorporate a Turnpike Road Company from Mayslick to Sardis, in Mason county.

On motion of Mr. Payne—14. A bill to amend the charter of the city of Maysville.

On motion of Mr. J. M. Alexander—15. A bill for the benefit of V. T. Smith.

On motion of Mr. Gooch—16. A bill providing further for the collection of debts before Justices.

On motion of Mr. Gilmore—17. A bill for the benefit of William M. Fox, Clerk of the Pulaski Circuit and County Court.

On motion of Mr. W. M. Green—18. A bill to abolish the office of President of the Board of Internal Improvement.

On motion of Mr. Heady—19. A bill authorizing the County Court of Spencer to give or sell the right of way for a Turnpike Road through the Poor House tract of land, in said county.

On motion of Mr. A. H. Talbott—20. A bill to incorporate a company to construct a Turnpike or Plank Road from Bedford to Milton, in Trimble county.

On motion of Mr. McElroy—21. A bill for the benefit of James R. Hughes, Clerk of the Union County Court.

On motion of Mr. Grundy—22. A bill for the benefit of School District, No. 28, in Washington county.

On motion of Mr. Morrow—23. A bill to incorporate the Marine Insurance Company, in the town of Paducah.

On motion of same—24. A bill to amend an act, approved January 28, 1839, giving to the officers, crews, mechanics, and others, a lien on steamboats.

Ordered, That Messrs. A. G. Talbott, Varnon, and Owsley, prepare and bring in the 1st; the committee on Internal Improvement the 2d, 8th, and 13th; the committee on Education the 3d; Messrs. J. Murphy, Gilmore, and Ward, the 4th and 5th; Messrs. Bruner, Mitchell, and Leslie, the 6th; Messrs. Coleman, McElroy, and Mansfield, the 7th; the committee on the Judiciary, the 9th, 10th, and 14th; Messrs. Geiger, Rodman, and Logan, the 11th; the committee on Ways and Means the 12th; Messrs. J. M. Alexander, Gaither, and Ward, the 15th; Messrs. Gooch, Leslie, and Williams, of Hancock, the 16th; Messrs. Gilmore, Ward, and J. Murphy, the 17th; Messrs. W. M. Green, Kingman, and Rodman, the 18th; Messrs. Heady, Rowlett, and Field, the 19th; Messrs. A. H. Talbott, Gooch, and N. Green, the 20th; the committee on County Courts the 21st; Messrs. Grundy, N. Green, and Purdy, the 22d; Messrs. Morrow, N. Green, and Garrett, the 23d; and Messrs. Morrow, Logan, and Kingman, the 24th.

The Speaker laid before the House the following communication, viz:

WILLIAMSBURG, KY., Jan. 4, 1851.

MR. SPEAKER: *Dear Sir*—I have the painful duty to inform you of the death of Mr. DANIEL CAIN, the member from Whitley county, of the House of Representatives. He died at his residence, on the 2d January, at 8 o'clock, A. M. He had prepared to start to Frankfort on that day, but has fallen a victim to the monster, Death. You will please take such steps as are proper for the election of one to fill his place, in as short time as practicable.

With due respect, I am your humble servant,

G. P. BROWN, *M. H. R.*

Mr. Woodward moved the following preamble and resolutions, viz:

Whereas, this House has heard with deep regret of the death of Daniel Cain, a member of this body from the county of Whitley, who died at his residence on the 2d day of January, 1851:

Be it therefore resolved, That as a token of respect for the memory of the deceased, the officers and members of this House will wear the usual badge of mourning for thirty days.

Be it further resolved, That the Clerk copy these resolutions, and forward them to the family of the deceased.

Resolved, That as a further testimonial of respect for the deceased, this House do now adjourn.

And then the House adjourned.

SATURDAY, JANUARY 11, 1851.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of the Sheriff of Caldwell county.

An act in relation to the duties of Assessors of Tax.

With an amendment to the last named bill.

That they had passed a bill, entitled, an act for the benefit of William J. Sanford, Sheriff of Boone county.

Mr. Smith moved a reconsideration of the vote adopting the resolution moved by Mr. Kavanaugh, on yesterday.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bradley moved to amend said resolution by striking out the following, viz:

"And will also hold evening sessions, meeting at 3 in the evening."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
William Bradley,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
Norvin Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Wm. B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
Elisha F. Wells,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—63.

Those who voted in the negative, were

James B. Allen,	George M. Hampton,	John L. Sallee,
John B. Arnold,	Randall G. Hays,	John Shawhan,
Lucius Desha,	Andrew S. Linn,	Albert G. Talbott,
Robert English,	Caleb W. Logan,	William T. Terrill,
Edgar B. Gaither,	James P. Metcalfe,	Thomas Todd,
Cyrenius W. Gilmore,	George H. Morrow,	John Tompson,
John G. Gooch,	Joel Murphy,	Thomas W. Varnon,
Alfred F. Graham,	Joel Owsley,	William T. Ward,
William M. Gray,	Julian N. Phelps,	G. W. Williams, of B—28.
William M. Green,		

The said resolution, as amended, was then adopted.

1. Mr. Silvertooth presented the petition of Perry McMahan, and sundry citizens of Fulton county, praying the passage of a law legalizing an order of the Fulton County Court, changing a State road.

2. Also, the petition of sundry citizens of the town of Clinton, praying the passage of a law to prohibit the vending of ardent spirits in said town.

3. Also, the petition of sundry citizens of the town of Columbus, in Hickman county, praying for the incorporation of the Columbus Masonic Seminary.

4. Also, the petition of G. W. Miller, Jailer of Hickman county, praying compensation for additional services as Jailer.

5. Mr. Cook presented the petition of sundry citizens of Graves county, praying for an alteration in a State road in said county.

6. Mr. Shawhan presented the petition of sundry stockholders of the Cynthiana and Millersburg Turnpike Road Company, praying the removal of a gate on said road.

7. Mr. Burgess presented the petition of sundry citizens of Carter county, praying that the portion of the Owingsville and Big Sandy Turnpike Road, which lies in said county, may be surrendered to the county.

8. Mr. Wooldridge presented the petition of sundry citizens of Christian county, accompanied with an address of Garret Meriwether, asking an appropriation in aid of the Colonization Society.

9. Mr. Logan presented the memorial of Daniel Drake, in relation to the Colonization Society.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d to Messrs. Silvertooth, Heady, and G. T. Campbell; the 4th to the committee on Claims; the 5th to the committee on County Courts; the 6th and 7th to the committee on Internal Improvement; and the 8th and 9th to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell.

On motion of Mr. Silvertooth,

Leave was given to bring in the following bills, viz:

1. A bill directing the Governor to issue patents to the Justices of the Hickman County Court, for certain lands heretofore donated for educational purposes.

2. A bill to legalize the act of the Hickman County Court in appointing an agent to sell Seminary lands.

3. A bill appointing Commissioners to lay off the State into Justices' and Constables' Districts, so as to create an additional district in the county of Fulton.

Ordered, That Messrs. Silvertooth, Cook, and Morrow, prepare and bring in the 1st; Messrs. Silvertooth, Desha, and Heady, the 2d; and Messrs. Silvertooth, Garrett, and Shawhan, the 3d.

On motion of Mr. Preston,

Ordered, That Mr. Duvall be added to the committee on the Code of Practice.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred leave to bring in a bill for the benefit of William Woodcock, Clerk of the Circuit and County Court of Clay, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. Bradley, from the same committee, to whom was referred the petition of sundry citizens of Scott county, in relation to granting licenses to peddlers, and the petition of sundry citizens of Hart county, in relation to the same subject, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petitions be referred to the committee on Ways and Means.

Mr. Bradley, from the same committee, to whom was referred the petition of sundry citizens of Fleming county, praying that a law be passed, authorising a vote of the county on the propriety of removing the seat of justice, and the remonstrance of sundry citizens of said county against it, asked to be discharged from the further consideration of the same, which was granted.

On motion of Mr. Dulin,

Ordered, That said petition and remonstrance be withdrawn, and the same were withdrawn.

Mr. Desha, from the committee on Claims, to whom was referred the petition of John Morris, the petition of Robert Hays, and the petition of Job Allen, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—A bill to authorize the County Court of Nicholas county to change, alter, or discontinue a State road in said county.

By same—A bill for the benefit of Horatio Fields, the son of Thomas J. Fields, of Bath county.

By the committee on Religion—A bill to incorporate the Mount Zion Cumberland Presbyterian Church, in Henderson county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, who was appointed to prepare and bring in the same, reported a bill to regulate the days of grace on negotiable paper, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, the said bill was then amended, and as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in all cases of bills of exchange and promissory notes, payable in this State, and hereafter drawn and executed, *on which days of grace are allowed by law*, if the last day of grace occurs on Sunday, on the 25th day of December, on the 4th day of July, or on any day set apart by the Governor of this State, or the President of the United States, as a day of thanksgiving, or for fasting and prayer, the said bills and notes shall be deemed due and payable on the first succeeding business day, and liable to be protested and proceeded on accordingly.

§ 2. This act shall take effect from and after the first day of February, 1851.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Davie moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

"That hereafter, when a Bank discounts a note at four months time, it shall be understood to be one hundred and twenty days, and the days of grace shall not commence till the one hundred and twenty days are completed."

And the question being taken on the adoption of the same, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Preston and Payne, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
William S. Black,
William Bradley,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Thomas W. Riley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
John Tompson,
Marcus L. Williams—52.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel A. Kingman,
Hiram Klette,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
William B. Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Jesse S. Taylor,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—39.

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act to incorporate Moore Lodge, No. 96, of Free and Accepted Masons.

An act to incorporate McKee Lodge, No. 144, of Free and Accepted Masons.

An act for the benefit of Charles Rice, of Carter county.

An act to incorporate the German Roman Catholic St. Alphonsas Liebisbund Benevolent Society, of Louisville.

An act for the benefit of William Burke, a Justice of the Peace of Marion county.

An act to appoint M. T. Hall one of the Commissioners to lay off Warren county into Magistrates' and Constables' Districts.

An act to incorporate the town of Hardinsville, in Shelby county.

An act to incorporate Tompkins Lodge, No. 178.

Approved December 18, 1850.

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Lexington.

An act to repeal the 3d section of the act to amend the laws relating to the town of Frankfort, approved February 21, 1849.

Approved December 20, 1850.

An act for the benefit of James H. and Joseph F. Curd, administrators of E. H. Curd, deceased.

An act to appoint Oscar Pepper in the place of Charles Cotton, to lay off Woodford county into Magistrates' and Constables' Districts, and for other purposes.

An act for the benefit of Samuel P. Davidson, late Deputy Sheriff of Floyd county.

An act for the benefit of John Lyon, of Monroe county.

An act for the benefit of John Ashcraft, of Grant county.

An act to repeal part of an act to permit the citizens of Louisa to vote for or against tavern licenses, and for other purposes.

An act to authorize the election of certain officers in the city of Maysville.

An act for the benefit of William R. Moore, of Todd county.

An act to require the Attorney General to perform certain duties in regard to the Owingsville and Big Sandy Turnpike Road Company.

An act to incorporate the Trustees of the United Baptist Meeting House in Tompkinsville.

An act making provision for running and marking the lines of Cumberland and Adair counties.

An act relative to the town of Cynthiana.

An act to incorporate the Hebrew Beneficial Society of Louisville.

An act to incorporate the Savings Bank of Fleming county.

An act incorporating Edmonton Division, No. 129, Sons of Temperance.

Approved December 21, 1850.

Resolution requesting the Governor to cause salutes to be fired on the 8th of January, and 22d of February next.

Approved January 8, 1851.

Mr. Davie moved the following resolution, viz:

Resolved, That the Governor be requested to lay before the Legislature, by message, such statistical or other information as he may have in his possession, on the subjects of the School and Sinking Funds.

Which was adopted.

The House took up the amendment of the Senate to a bill from this House, entitled, an act in relation to the duties of Assessors of Tax, which is as follows, viz:

Strike out all after the enacting clause, and insert the following, viz:

That Assessors, to be elected on the second Monday in May, 1851, agreeably to the provisions of the Constitution, shall not enter upon the duties of their office until the 10th day of January, 1852; and, that the County Courts shall proceed, as heretofore, to elect Commissioners of Tax for the year 1851, whose duties and compensation shall be the same as now provided by law: *Provided*, that if any county or counties shall have failed to appoint Commissioners of Tax, at the court provided for by law, such county or counties shall proceed, at the January, February, or March court next succeeding the passage of this act, to make such appointment.

And the question being taken on concurring in said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hampton and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. Harris,	William Preston,
William W. Alexander,	Hiram Klette,	Thomas W. Riley,
Robert A. Athey,	Preston H. Leslie,	Burwell C. Ritter,
R. T. Baker,	Joseph H. Lewis,	Basil G. Smith,
George I. Brown,	Andrew S. Linn,	William T. Ward,
John B. Bruner,	Caleb W. Logan,	Elisha F. Wells,
John W. Cook,	Hiram McElroy,	G. W. Williams, of B.
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of H.
Cyrenius W. Gilmore,	George H. Morrow,	James T. Woodward,
John G. Gooch,	William B. Murphy,	Edmund Wooldridge—32.
Wm. H. Grainger,	Joel Owsley,	

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	Joel Murphy,
James B. Allen,	Alfred F. Graham,	Benjamin L. Owens,
John B. Arnold,	William M. Gray,	Thomas Y. Payne,
William Beeler,	Norvin Green,	Julian N. Phelps,
William S. Black,	William M. Green,	Edward C. Purdy,
William Bradley,	Thomas S. Grundy,	John Rodman,
George R. Burgess,	George M. Hampton,	C. C. Rogers,
William H. Calvert,	Samuel Hanson,	Joseph W. Rowlett,
Robert H. Campbell,	P. B. Hawkins,	John L. Sallee,
George T. Campbell,	Randall G. Hays,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	George W. Silvertooth,
Winston J. Davie,	Lysander Hord,	Albert G. Talbott,
Asbury Dawson,	Samuel B. Jesup,	Ambrose H. Talbott,

Lucius Desha,	Daniel Landes,	Jesse S. Taylor,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Alvin Duvall,	George W. Mansfield,	Thomas Todd,
Richard H. Field,	Daniel Matthewson,	John Tompson,
Edgar B. Gaither,	James P. Metcalfe,	Thomas W. Varnon,
William H. Gardner,	Strother D. Mitchell,	Marcus L. Williams—59.
Bernard H. Garrett,	Morton P. Moore,	

A bill from the Senate, entitled, an act to amend an act to regulate ferries, was read a third time.

On motion of Mr. Preston,

Ordered, That said bill be referred to the committee on Revised Statutes.

Bills from the Senate of the following titles, viz:

1. An act allowing an additional District in Wayne and Pulaski counties, for the election of Magistrates and Constables, and for other purposes.

2. An act for the benefit of William J. Sandford.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the first bill was amended.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then resolved itself into a committee of the whole on the bill to organize County Courts in the several counties, Mr. Bruner in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

MONDAY, JANUARY 13, 1851.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House to a bill from the Senate, entitled, an act for the benefit of Ephraim Smith.

And their concurrence in the amendment from this House, to a resolution from the Senate, of instructions to the committee on Banks.

That they had passed bills from this House of the following titles, viz:

An act to amend an act, entitled, an act for the benefit of the Laurel County Seminary, approved February 28, 1835.

An act to confirm a sale made to S. S. Atwell, by the Second Auditor, of a house and lot in Brandenburg.

That they had passed bills of the following titles, viz:

An act for the benefit of the Sheriff of Taylor county.

An act to incorporate Wayne Lodge, No. 119, of Free and Accepted Masons.

An act to amend the act incorporating the Warsaw Turnpike Road Company.

And had received official information from the Governor, that he had approved and signed sundry enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the Deposit Bank of Covington.

Approved December 16, 1850.

An act for the benefit of Edward Artsman, of Bracken county.

An act for the benefit of the town of Ghent, in Carroll county.

An act to establish a ferry across the Ohio river, at Milton.

An act fixing the time for holding the charter election for the city of Covington.

An act for the benefit of Col. Edward Brooks, of the State of Michigan.

An act to establish a Police Court in the town of Hardinsburg.

An act for the benefit of the city of Lexington.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company,

An act to incorporate the Maysville and Big Sandy Railroad Company.

Approved December 18, 1850.

An act to regulate the division of Hancock county into Magistrates' and Constables' Districts.

An act for the benefit of A. G. Hodges and Thomas S. Page.

An act to amend the charter of the Lexington and Frankfort Railroad Company, and Louisville and Frankfort Railroad Company.

An act to authorize and require the Trustees of the town of Glasgow to put and keep the streets and alleys of said town in good order.

Resolution authorizing the Second Auditor to issue warrants for the pay of the officers of the General Assembly.

Approved December 21, 1850.

The House took up the resolution from the Senate, fixing a day for the election of Public Officers, which being twice read, was concurred in.

1. Mr. Moore presented the remonstrance of sundry citizens of Estill county, against being added to the county of Owsley.

2. Mr. Riley presented the petition of R. F. Strother, and others, praying for the establishment of a Board of Physicians.

3. Mr. N. Green presented the order and memorial of the Henry County Court, asking a law to authorize them to raise money by taxation upon the citizens, for building Turnpike Roads in said county.

4. Mr. Thompson presented the petition of sundry citizens of Lewis county, praying that persons who vend spirituous liquors may be held liable for the results arising therefrom.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on the Judiciary; the 3d to the committee on Internal Improvement, and the 4th to the committee on Religion.

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of sundry citizens of Estill county, asked to be discharged from the further consideration of the same, which was granted.

Mr. McFarland, from the same committee, to whom was referred a bill from the Senate, entitled an act for the benefit of William R. Gough, of Graves county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Clark's Run and Salt River Turnpike Road Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the same committee, to whom was referred a bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies, reported the same without amendment.

Mr. Rogers moved an amendment to said bill as a substitute.

And the question being taken on the adoption of the same, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. G. I. Brown, from the committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill concerning the landing and weighing of salt boated down the Kentucky river, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said leave be referred to Messrs. Williams, of Bourbon, Moore, Harris, Arnold, and A. G. Talbott.

On motion of Mr. Metcalfe,

Ordered, That he be excused from serving on the committee on Propositions and Grievances.

Whereupon, Mr. Mitchell was appointed on said committee.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition of D. Woodruff, the petition of H. Coffman, and the petition of Paul King, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred a bill to prevent persons in this Commonwealth from carrying concealed weapons, reported the same with an amendment, as a substitute for said bill.

Mr. Hanson, from the same committee, to whom was referred a bill for the benefit of Henry L. Green, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative; and so the said bill was rejected.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill to authorize the Trustees of Paris to levy a tax upon the property of citizens of said town, and upon the property within a mile of said town, to aid in the construction of the Covington and Lexington Railroad.

By the committee on Circuit Courts—2. A bill to provide for the appointment of Judges *pro tempore*, for the Circuit Courts.

By the committee on County Courts—3. A bill for the benefit of the Clerk of the Union County Court.

By the committee on the Judiciary—4. A bill to amend an act to incorporate the town of Mayslick, in Mason county, approved February 1, 1837.

By same—5. A bill to amend an act, entitled, an act to amend the jury law, approved February 23, 1846.

By same—6. A bill to establish the town of Crittenden, in the counties of Grant, Boone, and Kenton, and for other purposes.

By the committee on Religion—7. A bill to revive the corporate powers, and to authorize the rebuilding of the Meeting House of Mount Tabor Church, in Estill county.

By Mr. Morrow—8. A bill to incorporate the Marine Insurance Company, at Paducah.

By same—9. A bill to amend an act giving to officers, crews, mechanics, and others, a lien on steamboats, approved January 28, 1839.

By Mr. Silvertooth—10. A bill to establish an additional Justices' and Constables' District, in Fulton county.

By the committee on County Courts—11. A bill to amend the charter of the city of Augusta.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, and 11th bills, having been dispensed with, the 1st, 2d, 3d, 4th, 6th, 7th, 10th, and 11th were severally ordered to be engrossed and read a third time, the 8th was referred to the committee on the Judiciary, and the 9th to the committee on Revised Statutes.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 6th, 7th, 10th, and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 2d bill for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gaither—1. A bill to construct a Turnpike and Plank Road from Campbellsville to Columbia.

On motion of Mr. Mansfield—2. A bill to incorporate the Kentucky Savings Bank, at Louisville.

On motion of Mr. Morrow—3. A bill concerning the Seminary Funds of McCracken county.

On motion of Mr. A. G. Talbott—4. A bill to provide for the collection of the revenue.

On motion of Mr. R. H. Campbell—5. A bill for the benefit of Robert Kinkead.

Ordered, That Messrs Gaither, Owens, and Ward, prepare and bring in the 1st; Messrs. Mansfield, N. Green, J. F. Todd, and Smith, the 2d; the committee on Education the 3d; Messrs. A. G. Talbott, McElroy, Harris, Owsley, and Leslie, the 4th, and Messrs. R. H. Campbell, Athey, and Wooldridge, the 5th.

Mr. A. G. Talbott moved the following resolution, viz:

Resolved, That this House, from and after Wednesday next, will hold evening sessions, commencing at 7 o'clock, P. M.

Mr. Klette moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gaither and Linn, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Strother D. Mitchell,
James M. Alexander,	William H. Grainger,	George H. Morrow,
William W. Alexander,	Norvin Green,	Joel Murphy,
Robert A. Athey,	Thomas S. Grundy,	Wm. B. Murphy,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
Wm. Beeler,	P. B. Hawkins,	William Preston,
William S. Black,	Randall G. Hays,	Edward C. Purdy,
William Bradley,	Stilwell Heady,	Thomas W. Riley,
George I. Brown,	Lysander Hord,	Burwell C. Ritter,
John B. Bruner,	Samuel B. Jesup,	John Rodman,
George R. Burgess,	Hiram Klette,	C. C. Rogers,
William H. Calvert,	Peter Lashbrooke,	George W. Silvertooth,
Robert H. Campbell,	Preston H. Leslie,	Ambrose H. Talbott,
Alexander P. Churchill,	Joseph H. Lewis,	Jesse S. Taylor,
Henry R. D. Coleman,	Caleb W. Logan,	John F. Todd,
Edward F. Dulin,	George W. Mansfield,	George W. Williams, of B.
Alvin Duvall,	Wm. C. Marshall,	George W. Williams, of H.
Robert English,	Daniel Matthewson,	Marcus L. Williams,
Bernard H. Garrett,	Hiram McElroy,	Edmund Wooldridge—59.
Samuel L. Geiger,	John S. McFarland,	

Those who voted in the negative, were

James B. Allen,	William M. Gray,	Joseph W. Rowlett,
John B. Arnold,	William M. Green,	John L. Sallee,
Carlo B. Brittain,	George M. Hampton,	John Shawhan,
George T. Campbell,	William Harris,	Basil G. Smith,
John W. Cook,	Samuel A. Kingman,	Albert G. Talbott,
Winston J. Davie,	Daniel Landes,	William T. Terrill,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	James P. Metcalfe,	John Tompson,
Richard H. Field,	Morton P. Moore,	Thomas W. Varnon,
Edgar B. Gaither,	Benjamin L. Owens,	William T. Ward,
Wm. H. Gardner,	Joel Owsley,	Elisha F. Wells,
Cyrenius W. Gilmore,	Julian N. Phelps,	James T. Woodward—37.
John G. Gooch,		

Mr. Williams, of Hancock, moved the following resolution, viz:

Resolved, That a select committee be appointed to inquire and report what bills, in addition to those already passed by, and reported to this House, are necessary to organize the Government under, and carry out the provisions of the Constitution; and that said committee report resolutions instructing the proper committees to bring in such additional bills.

Which was adopted.

Whereupon, Messrs. Williams, of Hancock, McFarland, Leslie, Mitchell, and Metcalfe, were appointed the committee in pursuance of said resolution.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act allowing an additional district in Jefferson county for the election of Justices of the Peace and Constables.

An act to reduce the number of districts in Mercer county, for the election of Justices of the Peace and Constables.

A bill from the Senate, entitled, an act allowing an additional district in Jefferson county, for the election of Justices of the Peace and Constables, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding thereto the words, "and for other purposes."

A bill from the Senate, entitled, an act to reduce the number of districts in Mercer county, for the election of Justices of the Peace and Constables, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then resolved itself into a committee of the whole on the bill to organize County Courts in the several counties, Mr. Bruner in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, JANUARY 14, 1851.

A message was received from the Senate, announcing that they insist on their amendment to a bill from this House, entitled, an act in relation to the duties of Assessors of Tax.

That they had concurred in the amendment proposed by this House to a bill from the Senate, entitled, an act allowing an additional district in Wayne and Pulaski counties, for the election of Magistrates and Constables, and for other purposes.

That they had passed bills from this House of the following titles, viz:

An act to amend an act approved November 18, 1850, to settle the dividing lines of Estill and Owsley counties.

An act to incorporate Curd Lodge, No. 175.

An act to incorporate Somerset Royal Arch Chapter, No. 25.

An act to amend an act, entitled, an act to amend the charter of the town of Bowlinggreen, approved 5th March, 1850.

An act to establish the Police Court of Flemingsburg.

An act to amend an act, entitled, an act for the benefit of the soldiers of the late war with England, &c.

An act for the benefit of Allen C. Scott.

An act to amend the Police Law of the town of Bedford, in Trimble county.

An act to incorporate the Hall of Simpson Division, No. 75, Sons of Temperance.

An act for the benefit of Jesse Cassity, late Sheriff of Morgan county.

An act to repeal so much of an act, approved February 23, 1849, as declares Three Mile Creek, in Lawrence county, a navigable stream.

An act to enlarge the limits of the town of New Market, in Marion county.

An act to incorporate the Mount Gilead and Mount Carmel Turnpike Road Company.

An act to incorporate Warren Ladge, No. 110, of Free and Accepted Masons.

An act to incorporate Magnolia Lodge, No 201, of Free and Accepted Masons.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act to amend the acts incorporating the Fire Department of the city of Louisville.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets in Portland to be closed.

1. Mr. Owsley presented the petition of sundry citizens of Cumberland county, in relation to the duty of the Secretary of State, in giving certified copies of petitions and vouchers filed with the Governor.

2. Mr. Hanson presented the petition of sundry citizens of Clarke county, praying an appropriation in aid of the Colonization Society.

3. Mr. Hays presented the petition of sundry citizens of Hardin county, in relation to the law granting licenses to peddlers.

4. Mr. G. T. Campbell presented the petition of the President and Directors of the Carrollton and Eagle Creek Turnpike Company.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell; the 3d to the committee on Ways and Means, and the 4th to the committee on Internal Improvement.

A bill from the Senate, entitled, an act to amend the act incorporating the Warsaw Turnpike Road Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson moved a reconsideration of the vote of yesterday, discharging the committee on the Judiciary from the further consideration of the petition of Paul King.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Rogers, from the committee on Education, to whom was referred the petition of Samuel Tinsley, and others, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to authorize the County Courts to change the names of persons.

By the committee on Internal Improvement—2. A bill to incorporate Mayslick and Sardis Turnpike Road Company.

By same—3. A bill to amend an act, entitled, an act to amend and re-enact an act, entitled, an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

By Mr. Black—4. A bill declaring Little Sandy navigable to the mouth of Laurel Creek, in Morgan county.

By Mr. Bruner—5. A bill to repeal an act establishing a Police Court in the town of Hardinsburg.

By Mr. J. Murphy—6. A bill for the benefit of James Clark, late Sheriff of Casey county.

By same—7. A bill for the benefit of Charles P. Tate, late Sheriff of Casey county.

By Mr. Coleman—8. A bill to incorporate the town of Clementsburg, in Crittenden county.

By Mr. Moore—9. A bill for the benefit of William Abner, of Owsley county.

By Mr. Silvertooth—10. A bill to legalize an order of the Hickman County Court, appointing an agent to sell Seminary lands.

By same—11. A bill to legalize an order of the Fulton County Court, in changing a road.

By same—12. A bill to create the office of Police Judge in the town of Clinton.

By same—13. A bill to incorporate the Columbus Masonic Seminary, in Hickman county.

By Mr. Linn—14. A bill for the benefit of the Sheriff of Grant county.

By Mr. W. M. Green—15. A bill to abolish the office of President of the Board of Internal Improvement.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 8th, 10th, and 11th were severally ordered to be engrossed and read a third time, the 6th, 7th, 9th, 12th, and 13th, were referred to the committee on the Judiciary, the 14th to the committee on Ways and Means, and the 15th to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 8th, 10th and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Baker—1. A bill for the benefit of Henry Clay Snyder, of Newport.

On motion of same—2. A bill to authorize Abel Shawk, and his associates, to construct and finish locks and dams No.'s 1 and 2, on Licking river.

On motion of same—2. A bill to incorporate the Lutheran Presbyterian St. John's Church, in the city of Newport.

On motion of Mr. Burgess—4. A bill for the further protection of lumber merchants, and other persons on Big Sandy river, and its tributaries.

On motion of Mr. Moore—5. A bill to construct a Plank, Gravel, or Turnpike Road from Richmond to Irvine, in Estill county.

On motion of same—6. A bill to improve the navigation of the Kentucky river from Clay's Ferry, in Fayette county, to the Goose Creek Salt Works, in Clay county.

On motion of Mr. Rogers—7. A bill to amend the charter of the Lexington Insurance Company.

On motion of Mr. Garrett—8. A bill for the benefit of Martin Franklin, Deputy Sheriff of Johnson county.

On motion of Mr. Hord—9. A bill to prevent the destruction of sheep by dogs.

On motion of Mr. Grainger—10. A bill to incorporate the several Masonic Institutions of Louisville.

On motion of Mr. Gooch—11. A bill to provide further for the collection of tolls on Kentucky, Green, and Barren rivers.

On motion of Mr. Bradley—12. A bill for the benefit of the Sheriff of Hopkins county.

On motion of Mr. Kavanaugh—13. A bill for the benefit of the Sheriff of Anderson county.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 3d, 7th, 9th, and 10th; the committee on Internal Improvement the 2d, 5th, and 6th; Messrs. Burgess, Hawkins, and Bradley, the 4th; Messrs. Garrett, Silvertooth, and Shawhan, the 8th; Messrs. Gooch, Hawkins, and Rowlett, the 11th; the committee on Ways and Means, the 12th, and Messrs. Kavanaugh, Bradley, and Landes, the 13th.

Mr. Williams, of Bourbon, moved the following resolution, viz:

Resolved, That C. P. Culver have the use of this Hall this evening for the purpose of delivering a lecture on Education.

Which was adopted.

Mr. Cook moved the following resolution, viz:

Resolved, That the committee on Claims be instructed, in making out the claims of the members *and officers* of the House of Representatives for their services during the present session of the General Assembly, to deduct the time between the 20th December, 1850, and the 6th January, 1851.

Mr. Rogers moved to amend said resolution by striking out the words "and officers."

Mr. Hanson moved to lay said resolution and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Desha and Hanson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Wm. H. Gardner,
Alfred F. Graham,
William H. Grainger,
William M. Green,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Hiram Klette,
Peter Lashbrooke,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Burwell C. Ritter,
George W. Silvertooth,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—40.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
John B. Bruner,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Edgar B. Gaither,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Daniel Matthewson,
James P. Metcalfe,
Strother D. Mitchell,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
James T. Woodward—50.

The question was then taken on the adoption of the amendment proposed by Mr. Rogers, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shawhan and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
George I. Brown,
John B. Bruner,
George R. Burgess,
Alexander P. Churchill,
Alvin Duvall,
Bernard H. Garrett,
Wm. H. Grainger,
William M. Gray,
William M. Green,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Thomas Y. Payne,
William Preston,
C. C. Rogers,
Basil G. Smith,
William T. Ward,
Edmund Wooldridge—25.

Those who voted in the negative, were

James B. Allen,	Norvin Green,	Joel Owsley,
John B. Arnold,	Thomas S. Grundy,	Julian N. Phelps,
R. T. Baker,	George M. Hampton,	Edward C. Purdy,
William Beeler,	Samuel Hanson,	Thomas W. Riley,
William S. Black,	Wm. Harris,	Burwell C. Ritter,
William Bradley,	Stilwell Heady,	John Rodman,
William H. Calvert,	Samuel A. Kingman,	Joseph W. Rowlett,
Robert H. Campbell,	Hiram Klette,	John L. Sallee,
George T. Campbell,	Daniel Landes,	John Shawhan,
Henry R. D. Coleman,	Peter Lashbrooke,	George W. Silvertooth,
John W. Cook,	Preston H. Leslie,	Albert G. Talbott,
Asbury Dawson,	Andrew S. Linn,	Ambrose H. Talbott,
Lucius Desha,	Wm. C. Marshall,	Jesse S. Taylor,
Joseph Dougherty,	Daniel Matthewson,	William T. Terrill,
Edward F. Dulin,	Hiram McElroy,	John F. Todd,
Robert English,	John S. McFarland,	John Tompson,
Richard H. Field,	James P. Metcalfe,	Thomas W. Varnon,
Edgar B. Gaither,	Strother D. Mitchell,	Elisha F. Wells,
William H. Gardner,	Morton P. Moore,	G. W. Williams, of B.
Samuel L. Geiger,	George H. Morrow,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Joel Murphy,	Marcus L. Williams,
John G. Gooch,	William B. Murphy,	James T. Woodward—68.
Alfred F. Graham,	Benjamin L. Owens,	

Mr. Bruner moved to amend said resolution by adding thereto the following proviso, viz :

Provided, That no member shall receive pay for any day he is, or has been, absent from his seat in this Hall during the session, unless by order of the House; and that each member shall state, under his own hand, the number of days he has been absent.

Mr. Tompson moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then put, shall the amendment proposed by Mr. Bruner be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Bruner, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	Benjamin L. Owens,
James M. Alexander,	Norvin Green,	Joel Owsley,
R. T. Baker,	William M. Green,	Thomas Y. Payne,
William Beeler,	George M. Hampton,	Julian N. Phelps,
William S. Black,	Samuel Hanson,	William Preston,
William Bradley,	Wm. Harris,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	Thomas W. Riley,
John B. Bruner,	Stilwell Heady,	Burwell C. Ritter,
Wm. H. Calvert,	Samuel B. Jesup,	John Rodman,
Robert H. Campbell,	Hiram Klette,	Joseph W. Rowlett,
George T. Campbell,	Daniel Landes,	John L. Sallee,
Henry R. D. Coleman,	Peter Lashbrooke,	John Shawhan,

John W. Cook,	Preston H. Leslie,	George W. Silvertooth,
Winston J. Davie,	Caleb W. Logan,	Basil G. Smith,
Asbury Dawson,	William C. Marshall,	Albert G. Talbott,
Lucius Desha,	Hiram McElroy,	Jesse S. Taylor,
Joseph Dougherty,	John S. McFarland,	William T. Terrill,
Edward F. Dulin,	James P. Metcalfe,	John Tompson,
William H. Gardner,	Strother D. Mitchell,	Elisha F. Wells,
Cyrenius W. Gilmore,	Morton P. Moore,	G. W. Williams, of H.
John G. Gooch,	George H. Morrow,	Marcus L. Williams,
Alfred F. Graham,	Joel Murphy,	James T. Woodward,—66.

Those who voted in the negative, were

William W. Alexander,	Bernard H. Garrett,	Daniel Matthewson,
James B. Allen,	Samuel L. Geiger,	William B. Murphy,
Robert A. Athey,	Thomas S. Grundy,	C. C. Rogers,
Carlo B. Brittain,	P. B. Hawkins,	Ambrose H. Talbott,
George R. Burgess,	Lysander Hord,	John F. Todd,
Alexander P. Churchill,	George W. Kavanaugh,	Thomas W. Varnon,
Alvin Duvall,	Samuel A. Kingman,	William T. Ward,
Robert English,	Joseph H. Lewis,	G. W. Williams, of B.
Richard H. Field,	Andrew S. Linn,	Edmund Wooldridge—29.
Edgar B. Gaither,	George W. Mansfield,	

Mr. Payne moved a reconsideration of the vote ordering the previous question, and it was decided in the affirmative.

The question was again taken, shall the question be now put? and it was decided in the negative.

Mr. Wooldridge moved to amend said resolution by striking out all after the word "resolved," and insert in lieu thereof the following, viz:

That such members of the present House of Representatives, as deem it improper or inexpedient to receive their per diem from the 20th of December until the 6th of January, be excused from receiving the same; and that each member who so intends to refuse, shall express his intention to the Clerk of the House, whose duty it shall be to record their names on the Journal of the House, together with the fact of their refusal to receive the pay during the recess.

Mr. Klette moved to lay said resolution and amendment on the table until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The Speaker laid before the House the annual report of the Commissioners of the Sinking Fund, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

And then the House adjourned.

WEDNESDAY, JANUARY 15, 1851.

1. Mr. Owsley presented the petition of sundry citizens of Burksville, praying that the law to compel them to pay a tax for the improvement of the streets may be repealed.

2. Mr. Klette presented the petition of William Gracy, asking for an appropriation to enable him to pay for a pair of artificial arms, he having lost his arms by the premature discharge of a cannon.

3. Mr. G. I. Brown presented the petition of sundry citizens of Jessamine county, praying the establishment of a place of voting in Magistrate's District, in said county.

Which were received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Mr. Linn, from the committee on Claims, to whom was referred leave to bring in a bill to defray the expenses of the contested election from the county of Garrard, asked to be discharged from the further consideration of the same, which was granted.

Mr. Williams, of Bourbon, from the committee on the Court of Appeals, to whom was referred a bill authorizing the taking appeals and writs of error to the Court of Appeals in criminal cases, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

A message was received from the Senate, announcing their concurrence in the amendment of this House, to a bill from the Senate, entitled, an act allowing an additional district in Jefferson county, for the election of Justices of the Peace and Constables.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Nathan B. Lowe and Joshua West.

An act to establish an additional Justices' and Constables' District, in Fulton county.

An act to authorize the Bracken County Court to subscribe to a Turnpike Road leading from the county seat to Germantown.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to equalize the compensation for the collection of the revenue tax.

An act to incorporate the St. Aloysius College, in Louisville.

An act to amend the act incorporating the Maysville and Lexington Railroad Company.

An act to authorize a change in the State Road, leading from Canton to Hickman.

An act to incorporate the Springfield and Marion County Turnpike Road Company.

An act to incorporate the Pleasant Run Turnpike Road Company.

Mr. M. L. Williams moved the following resolution, viz:

Resolved, That the committee on Interaal Improvement be instructed to inquire into the expediency of appropriating $100 to improve the navigation of Tygert's Creek, in Greenup county, and that they report by bill or otherwise.

Which was adopted.

Mr. G. I. Brown moved the following resolution, viz:

Resolved, That the rules of the House be so amended, that during the remainder of the session, the Speaker shall call the orders of the day at 11 o'clock, A. M.

Which was adopted.

The House then took up the bill for the benefit of tax payers, which was read the second time.

Ordered, That said bill be referred to the committee on Ways and Means.

A bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Ways and Means.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in the Senate, fixing a day for the election of public officers, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Resolved, That this House adhere to their disagreement to the amendment of the Senate to a bill from this House, entitled, an act in relation to the duties of Assessors of Tax.

On motion of Mr. McFarland,

Ordered, That a committee of Conference on the part of this House be appointed, to act in conjunction with a similar committee on the part of the Senate, in relation to the disagreement between the two Houses on said bill.

Whereupon, Messrs. McFarland, Kavanaugh, Riley, Hanson, and Payne, were appointed the committee on the part of this House.

Ordered, That Mr. McFarland inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—1. A bill for the benefit of School District, No. 29, in Owen county.

By Mr. G. I. Brown—2. A bill to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

By Mr. J. M. Alexander—3. A bill for the benefit of V. T. Smith.

By Mr. Mitchell—4. A bill for the benefit of the heirs of James G. Hazelrigg, deceased.

By Mr. Gooch—5. A bill further to provide for the collection of tolls on Kentucky, Green, and Barren rivers.

By Mr. R. H. Campbell—6. A bill for the benefit of Robert Kinkead.

By Mr. A. G. Talbott—7. A bill to incorporate Harvey McGuire Lodge, No. 209, of Free and Accepted Masons.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, and 7th were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Klette—1. A bill to regulate tolls on Turnpike Roads in Kenton county.

On motion of Mr. Tompson—2. A bill authorizing the County Court of Lewis to sell and dispose of the Seminary lands of said county, and the proceeds to be applied in support of Common Schools in said county.

On motion of Mr. Logan—3. A bill respecting the authentication of deeds.

On motion of Mr. Lashbrooke—4. A bill to regulate the tolls on Turnpike Roads, in Mason county.

On motion of same—5. A bill to amend the road laws of Mason county.

On motion of same—6. A bill to charter a Turnpike Road from the termination of the Helena Turnpike Road to Mayslick, in Mason county, and for the benefit of the Helena Turnpike Road.

Ordered, That the committee on Internal Improvement prepare and

bring in the 1st, 4th, 5th, and 6th; Messrs. Tompson, Heady, Rowlett, and Graham, the 2d, and the committee on Revised Statutes the 3d.

The House then resolved itself into a committee of the whole on the bill to organize County Courts in the several counties, Mr. Bruner in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Ordered, That Mr. Payne inform the Senate that this House is now ready to proceed to the election of Public Officers.

A message was received from the Senate, by Mr. Chiles, that they were also ready to proceed with said election.

Mr. T. Todd nominated Mr. R. C. Wintersmith, as a suitable person to fill the office of Treasurer.

And after interchanging nominations, this House proceeded to take the vote, when Mr. Wintersmith received the unanimous vote of this House.

Messrs. Payne, T. Todd, and N. Green, were appointed a committee on the part of this House, to compare the joint vote and report the result.

In a short time Mr. Payne, from said committee, reported that Mr. Richard C. Wintersmith had received the unanimous vote of both Houses.

Whereupon, he was declared duly elected Treasurer.

Mr. McFarland nominated Messrs. A. G. Hodges & Co., as suitable persons to fill the office of Public Printers.

After interchanging nominations, this House proceeded to take the vote, when Messrs. A. G. Hodges & Co. received the unanimous vote of this House.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Payne, from said committee, reported that Messrs. A. G. Hodges & Co. had received the unanimous vote of both Houses.

Whereupon, Messrs. A. G. Hodges & Co. were declared duly elected Public Printers.

Mr. Hanson nominated Mr. James Harlan, jr., as a suitable person to fill the office of Librarian; Mr. J. F. Todd nominated Mr. Ben. Selby; Mr. Hord nominated Mr. Daniel H. Harris; and Mr. Kavanaugh nominated Mr. Edmund P. Gaines.

And after interchanging nominations, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Harlan, were

Wm. W. Alexander,	William H. Grainger,	Strother D. Mitchell,
John B. Arnold,	William M. Gray,	Morton P. Moore,
R. T. Baker,	Samuel Hanson,	Wm. B. Murphy,
George I. Brown,	Randall G. Hays,	Thomas Y. Payne,
John B. Bruner,	Stilwell Heady,	C. C. Rogers,
George R. Burgess,	Samuel A. Kingman,	Jesse S. Taylor,
William H. Calvert,	Hiram Klette,	Thomas W. Varnon,
Robert H. Campbell,	Peter Lashbrooke,	George W. Williams, of H.
Samuel L. Geiger,	Caleb W. Logan,	James T. Woodward—28.
Cyrenius W. Gilmore,		

Those who voted for Mr. Selby, were

Mr. Speaker, (Johnston,)	Preston H. Leslie,	Burwell C. Ritter,
William Beeler,	Andrew S. Linn,	John Rodman,
George T. Campbell,	William C. Marshall,	John L. Sallee,
John W. Cook,	Daniel Matthewson,	George W. Silvertooth,
Lucius Desha,	Hiram McElroy,	Albert G. Talbott,
John G. Gooch,	Joel Murphy,	Ambrose H. Talbott,
William M. Green,	William Preston,	John F. Todd,
Thomas S. Grundy,	Edward C. Purdy,	John Tompson,
P. B. Hawkins,	Thomas W. Riley,	William T. Ward—28.
Samuel B. Jesup,		

Those who voted for Mr. Harris, were

Robert A. Athey,	Lysander Hord,	Thomas Todd,
Winston J. Davie,	Joseph H. Lewis,	Elisha F. Wells,
Robert English,	John S. McFarland,	G. W. Williams, of B.
Bernard H. Garrett,	Joel Owsley,	Marcus L. Williams—13.
William Harris,		

Those who voted for Mr. Gaines, were

James M. Alexander,	Alvin Duvall,	George W. Mansfield,
James B. Allen,	Richard H. Field,	James P. Metcalfe,
William S. Black,	Edgar B. Gaither,	George H. Morrow,
William Bradley,	William H. Gardner,	Benjamin L. Owens,
Carlo B. Brittain,	Alfred F. Graham,	Julian N. Phelps,
Alexander P. Churchill,	Norvin Green,	Joseph W. Rowlett,
Henry R. D. Coleman,	George M. Hampton,	John Shawhan,
Asbury Dawson,	George W. Kavanaugh,	Basil G. Smith,
Joseph Dougherty,	Daniel Landes,	William T. Terrill—27.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Payne, from said committee, reported that the joint vote stood thus:

For Mr. Harlan - - - - - - - - - -	36
For Mr. Selby - - - - - - - - - -	40
For Mr. Harris - - - - - - - - - -	17
For Mr. Gaines - - - - - - - - - -	38

No one in nomination having received a majority of all the votes given,

Mr. Arnold moved the following resolution, viz:

Resolved, That, after the next ballot for Librarian, the one receiving the smallest number of votes shall be dropped, and so continue until one is elected.

Which was adopted.

Mr. Kavanaugh then withdrew the nomination of Mr. Gaines.

The House proceeded to take a vote between those remaining in nomination, and it stood thus:

Those who voted for Mr. Harlan, were

William W. Alexander,
John B. Arnold,
R. T. Baker,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Wm. H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
William H. Grainger,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Thomas Y. Payne,
Julian N. Phelps,
Jesse S. Taylor,
Thomas W. Varnon,
James T. Woodward—38.

Those who voted for Mr. Selby, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
Wm. Beeler,
William S. Black,
William Bradley,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
P. B. Hawkins,
Samuel B. Jesup,
Daniel Landes,
Andrew S. Linn,
George W. Mansfield,
Wm. C. Marshall,
Daniel Matthewson,
Hiram McElroy,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
John F. Todd,
John Tompson,
William T. Ward,
Elisha F. Wells,
George W. Williams, of H.
Edmund Wooldridge—46.

Those who voted for Mr. Harris, were

Robert A. Athey,
Winston J. Davie,
Robert English,
Bernard H. Garrett,
William Harris,
Lysander Hord,
Joseph H. Lewis,
Joel Owsley,
C. C. Rogers,
Joseph W. Rowlett,
William T. Terrill,
Thomas Todd,
George W. Williams, of B.
Marcus L. Williams—14.

The same committee were appointed to compare the joint vote, and and report the result.

After a short time, Mr. Payne, from said committee, reported that the joint vote stood thus:

For Mr. Harlan - - - - - - - - - -	47
For Mr. Selby - - - - - - - - - - -	69
For Mr. Harris - - - - - - - - - -	18

Mr. Selby having received a majority of all the votes given, was declared duly elected Librarian.

Mr. Athey nominated Mr. John Lutz as a suitable person to fill the office of Commissioner of the Lunatic Asylum.

And after interchanging nominations, this House proceeded to take a vote, when Mr. Lutz received the unanimous vote of this House.

The same committee were appointed to compare the joint vote, and report the result.

After a short time, Mr. Payne, from said committee, reported that Mr. Lutz had received the unanimous vote of both Houses.

Whereupon, Mr. Lutz was declared duly elected Commissioner of the Lunatic Asylum.

Mr. Bruner moved the following resolution, viz:

Resolved, That Mr. Culver be allowed the use of this Hall, to deliver a lecture on Education this evening.

Which was adopted.

And then the House adjourned.

THURSDAY, JANUARY 16, 1851.

1. Mr. Desha presented the letter of James R. Curry, suggesting amendments to the Code of Practice.

2. Mr. Taylor presented the petition of the Commissioners of Common Schools, in Meade county, praying that a School District in said county may be allowed to report.

3. Also, the petition of sundry citizens of Meade county, praying that jurisdiction may be conferred on the County Court over that portion of the road from mouth of Salt river to Bowlinggreen, which lies in Meade county.

4. Mr. Williams, of Hancock, presented the petition of sunery citizens of Ohio county, in relation to granting licenses to peddlers.

5. Mr. Williams, of Bourbon, presented the petition of Thomas Brand, praying compensation for a slave who was condemned to be executed, but escaped before execution.

6. Mr. Mansfield presented the petition of sundry citizens of Allen county, praying that when School Districts have been formed by the Commissioners, and houses erected, the Commissioners shall not be permitted to change the boundary.

7. The Speaker laid before the House the petition of J. F. Heaton, and others, praying the passage of a law directing the publication and distribution of the Statute laws to each head of a family in the State.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Code of Practice; the 2d and 6th to the committee on Education; the 3d to the committee on the Judiciary; the 4th to the committee on Ways and Means; the 5th to the committee on Claims, and the 7th to the committee on Printing.

Bills from the Senate of the following titles, viz:

An act to incorporate the St. Aloysius College of Louisville.

An act to amend the acts incorporating the Fire Department of the city of Louisville.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of William J. Sandford, Sheriff of Boone county.

An act allowing an additional district in Jefferson county, for the election of Justices of the Peace and Constables.

An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

An act for the benefit of Iron Masters in Caldwell county.

An act to incorporate the Greenville Institute.

An act to amend an act, entitled, an act for the benefit of Common Schools in Graves county, and for other purposes.

An act to incorporate Hancock Division, No. 12, Sons of Temperance, of the State of Kentucky.

An act allowing additional districts in Wayne and Pulaski counties, for the election of Magistrates and Constables, and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

Mr. Hanson, from the committee on the Judiciary, to whom was refer-

red the petition of R. F. Strother, and others, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to Messrs. N. Green, Gardner, Allen, Owsley, and Riley.

A message was received from the Senate, announcing their concurrence in the amendment of this House to a bill from the Senate, entitled, an act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

That they had passed bills from this House of the following titles, viz:

An act to authorize the County Court of Nicholas county to change, alter, or discontinue a State road in said county.

An act to authorize the Trustees of Paris to levy a tax upon the property of the citizens of said town, and upon the property within a mile of said town, to aid in the construction of the Covington and Lexington Railroad.

An act for the benefit of the Clerk of the Union County Court.

That they had passed bills of the following titles, viz:

An act for the benefit of the children and heirs of Michael Duvane and Penelope Thornton, deceased.

An act to incorporate the Licking Packet Company.

An act to authorize the Trustees of the town of Springfield to subscribe stock in a Turnpike Road.

An act for the benefit of Thomas L. Garrard, of Pendleton county.

An act to prevent the close shaving of the heads of convicts in the Penitentiary.

And had received official information from the Governor, that he had, on the 15th January, 1850, approved and signed an enrolled resolution, which originated in the Senate, fixing a day for the election of Public Officers.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

A bill to incorporate the Marine Insurance Company, of Paducah.

A bill to incorporate the Columbus Masonic Seminary, in Hickman county.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill for the benefit of the Sheriff of Grant county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the same committee, to whom was referred petitions from various counties in relation to the granting licenses to peddlers, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to amend an act, entitled, an act to incorporate the several Masonic Institutions of the city of Louisville.

By the committee on Internal Improvement—2. A bill to incorporate the Liberty and Hustonville Turnpike Road Company.

By same—3. A bill to incorporate the Richmond and Irvine Plank Road Company.

By same—4. A bill to incorporate the Catlettsburg and Grayson Plank Road Company.

By the committee on Education—5. A bill to authorize taxation to build a school house, in district No. 25, in Lewis county.

By same—6. A bill disposing of the vacant lands in Floyd county.

By Mr. Riley—7. A bill to authorize the County Court of Nelson to subscribe stock in the Louisville and Nashville Railroad Company.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Rodman—1. A bill for the benefit of William C. Price, Sheriff of Oldham county.

On motion of Mr. Rowlett—2. A bill to construct a Turnpike Road from New Liberty, in Owen county, to the Kentucky river.

On motion of same—3. A bill for the benefit of the Sheriff of Owen county.

On motion of same—4. a bill to amend the charter of the Eagle Creek, New Liberty, Owenton, and Scott county Line Turnpike Road Company.

Ordered, That Messrs. Rodman, Kingman, and Varnon, prepare and bring in the 1st; the committee on Internal Improvement the 2d;

Mesrrs. Rowlett, Heady, and Graham the 3d, and the committee on the Judiciary the 4th.

Mr. Rowlett moved the following resolution, viz:

Resolved, That the Second Auditor be directed to report to this House, the amount allowed by law, as a salary to the Governor, Judges, and all other salaried officers of this Commonwealth; commencing from the year 1831, up to the present time; the years separately that each officer was entitled to the salary, and the increase, &c. Also that he be directed, if he has the information, to report the amount allowed to the salaried officers of our sister States.

And the question being taken on the adoption of the resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	Joel Murphy,
James M. Alexander,	Cyrenius W. Gilmore,	Benjamin L. Owens,
Wm. W. Alexander,	John G. Gooch,	Joel Owsley,
James B. Allen,	Alfred F. Graham,	Julian N. Phelps,
John B. Arnold,	Wm. H. Grainger,	William Preston,
William S. Black,	William M. Gray,	Edward C. Purdy,
William Bradley,	Norvin Green,	Thomas W. Riley,
Carlo B. Brittain,	William M. Green,	Burwell C. Ritter,
George I. Brown,	Thomas S. Grundy,	C. C. Rogers,
John B. Bruner,	George M. Hampton,	Joseph W. Rowlett,
George R. Burgess,	Stilwell Heady,	John Shawhan,
Alexander P. Churchill,	Lysander Hord,	George W. Silvertooth,
Henry R. D. Coleman,	Samuel B. Jesup,	Basil G. Smith,
John W. Cook,	George W. Kavanaugh,	Albert G. Talbott,
Winston J. Davie,	Daniel Landes,	William T. Terrill,
Asbury Dawson,	Peter Lashbrooke,	John F. Todd,
Joseph Dougherty,	George W. Mansfield,	John Tompson,
Alvin Duvall,	Hiram McElroy,	Elisha F. Wells,
Robert English,	James P. Metcalfe,	G. W. Williams, of B—57.

Those who voted in the negative, were

Robert A. Athey,	P. B. Hawkins,	William B. Murphy,
R. T. Baker,	Randall G. Hays,	Thomas Y. Payne,
William Beeler,	Samuel A. Kingman,	John Rodman,
William H. Calvert,	Hiram Klette,	John L. Sallee,
Robert H. Campbell,	Preston H. Leslie,	Ambrose H. Talbott,
George T. Campbell,	Joseph H. Lewis,	Jesse S. Taylor,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Edward F. Dulin,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	Wm. C. Marshall,	William T. Ward,
Bernard H. Garrett,	John S. McFarland,	G. W. Williams, of H.
Samuel L. Geiger,	Strother D. Mitchell,	Marcus L. Williams,
Samuel Hanson,	Morton P. Moore,	James T. Woodward,
Wm. Harris,	George H. Morrow,	Edmund Wooldridge—39.

The House again resolved itself into a committee of the whole on the bill to organize County Courts in the several counties, Mr. Bruner in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to this House without amendment, which he handed in at the Clerk's table.

On motion of Mr. Preston,

Ordered, That leave of absence, for eight days, be given to Mr. Marshall.

And then the House adjourned.

FRIDAY, JANUARY 17, 1851.

1. Mr. Garrett presented the petition of sundry citizens of Morgan, Floyd, and Johnson counties, praying for the formation of a new county out of parts of said counties.

2. Mr. Landes presented the petition of Abraham Boyd, praying additional compensation for conveying a lunatic to the Asylum.

3. Mr. Hanson presented the petition of sundry citizens of Clark county, praying for a charter for a Railroad from Paris to Richmond, in Madison county.

4. Mr. Athey presented the petition of sundry citizens of Fayette county, praying an appropriation to remove a large rock in the Kentucky river.

5. Mr. Lewis presented the petition of sundry citizens of Barren county, in relation to the duty of the Secretary of State in relation to giving copies of petitions, &c., in his office.

6. Mr. Dulin presented the petition of sundry citizens of Fleming county, praying an appropriation in aid of the Colonization Society.

7. Mr. W. W. Alexander presented the petition of sundry citizens of Bourbon county, praying for a charter for a Railroad from Paris to Richmond, in Madison county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Claims; the 3d, 4th, and 7th, to the committee on Internal Im-

provement; the 5th to the committee on the Judiciary; and the 6th to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell.

On motion of Mr. Williams, of Bourbon,

Ordered, That leave be given to withdraw the petition of the citizens of Paris, which was granted, and the same was withdrawn.

A message was received from the Senate, announcing their disagreement to the report of the committee of Conference, on the disagreement between the two Houses on the bill from this House, entitled, an act in relation to the duties of Assessors of Tax.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of William Gracy, asked to be discharged from the further consideration of the same.

On motion of Mr. Baker,

Ordered, That said committee report a bill in accordance with the prayer of said petition.

A bill to increase the jurisdiction of Justices of the Peace, was read the second time.

Ordered, That said bill be referred to the committee on the Judiciary.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Gilmore—1. A bill for the benefit of William M. Fox, Clerk of the Pulaski Circuit and County Courts.

By Mr. Heady—2. A bill to authorize the Spencer County Court to sell the Poor House tract of land in said county.

By Mr. A. H. Talbott—3. A bill to incorporate Bedford Lodge, No. 158, of Free and Accepted Masons.

By Mr. R. H. Campbell—4. A bill to amend the act incorporating the Lexington and Frankfort Turnpike Road.

By Mr. Mansfield—5. A bill to incorporate the Kentucky Savings Bank, at Louisville.

By Mr. Kavanaugh—6. A bill to change the limits of the town of Lawrenceburgh.

By same—7. A bill for the benefit of the Sheriff of Anderson county.

By Mr. Field—8. A bill to incorporate Bullitt Lodge, No. 155, of Free and Accepted Masons.

By Mr. Phelps—9. A bill to authorize the running and re-marking the boundary line of Butler county.

By Mr. Burgess—10. A bill to extend the provisions of an act, entitled, an act to regulate the price of taking up boats on the Ohio river, approved January 29, 1829, to Big Sandy river.

By Mr. Tompson—11. A bill to amend an act in relation to the Seminary lands of Lewis county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, and 11th bills were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on Banks.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilmore moved the following resolution, viz:

Resolved, That the Adjutant General be direected to furnish the committee on Military Affairs with the number of Divisions, Brigades, and Regiments, and the relative strength of each, in this Commonwealth.

Which was adopted.

Mr. Davie moved the following resolution, viz:

Resolved, That the committee on Public Printing be instructed to bring in a bill creating the office of Public Printer, and prescribing the mode of election therefor.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilmore—1. A bill for the benefit of John Estepp.

On motion of same—2. A bill to authorize the County Court of Montgomery to issue bonds for internal improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

On motion of Mr. Duvall—3. A bill to amend the charter of the Newtown and Leesburg Turnpike Road Company.

On motion of Mr. A. H. Talbott—4. A bill for the benefit of N. B. Morgan, and others, of Trimble county.

On motion of Mr. Morrow—5. A bill for the benefit of H. M. Brown.

On motion of Mr. Hampton—6. A bill for the benefit of Lafayette Yates and Harrison Gill, of Bath county.

On motion of Mr. Field—7. A bill for the benefit of the Sheriff of Bullitt county.

On motion of Mr. Woodward—8. A bill for the benefit of Clerks and Sheriffs in the several counties.

On motion of Mr. Graham—9. A bill making the office of Circuit and County Court Clerks incompatible in counties where the vote exceeds fifteen hundred.

On motion of Mr. Arnold—10. A bill to exempt Ministers of the Gospel from paying ferriage on Sabbath days.

On motion of Mr. Williams, of Hancock—11. A bill for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Court.

On motion of same—12. A bill concerning the records and books of Justices of the Peace.

On motion of same—13. A bill further to regulate the weight of grain.

On motion of Mr. Gardner—14. A bill to incorporate the town of Woodsonville, in Hart county.

On motion of Mr. Preston—15. A bill to charter the Homeopathic College of Medicine.

On motion of Mr. Rowlett—16. A bill to amend the Common School Law.

Ordered, That the committee on Propositions and Grievances prepare and bring in the 1st and 13th; the committee on Internal Improvement the 2d; the committee on the Judiciary the 3d, 4th, 11th, 12th, and 14th; the committee on Claims the 5th; the committee on Ways and Means the 6th; Messrs. Field, Heady, and Desha, the 7th; the committee on County Courts the 8th; Messrs. Graham, Rowlett, and Heady, the 9th; the committee on Religion the 10th; Messrs. Preston, Duvall, and Gilmore, the 15th; and Messrs. Rowlett, Hawkins, and Williams, of Hancock, the 16th.

Mr. Payne read and laid on the table the following preamble and resolution, viz:

Whereas, there is now pending before the Congress of the United Ststes, a proposition, reported from the committee on Naval Affairs of the House of Representatives, to establish a line of Mail Steamers between the United States and the coast of Africa, and in connection therewith to provide a cheap and convenient mode of transporting free negroes from the United States to the colonies on said coast, through the agency of the Colonization Society. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That in view of the great advantages which are to result to the commerce of the country from a frequent intercourse with the regions of the Globe at which said line of Mail Steamers will be required to touch, and particularly to Kentucky, in affording the means by which she may rid herself of the free negro population within her limits, our Senators in Congress are hereby instructed, and our Representatives requested, to promote the objects of said proposition by their votes and influence.

Ordered, That the Public Printer print 150 copies of the same for the use of the members of the General Assembly.

Mr. Riley, from the committee of Conference on the disagreement between the two Houses, on the amendment of the Senate to a bill from this House, entitled, an act in relation to the duties of Assessors of Tax, reported that the Senate recede from their amendment to said bill.

And the question being taken on concurring in said report, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrett and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William S. Black,
William Bradley,
Carlo B. Brittain,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Marcus L. Williams—58.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
John W. Cook,
Asbury Dawson,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
William Harris,
Randall G. Hays,
Lysander Hord,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
William B. Murphy,
Joel Owsley,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
Basil G. Smith,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—40.

The House again resumed the consideration of the bill to organize County Courts in the several counties.

Mr. Preston moved to amend said bill by striking out the first section.

The first section reads as follows, viz:

"That the office of the Associate Judges of the County Courts, created by the 29th section of the 4th article of the constitution, be and the same is hereby abolished."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
Robert A. Athey,
R. T. Baker,
George P. Brown,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
William C. Marshall,
James P. Metcalfe,
Joel Owsley,
Thomas Y. Payne,
C. C. Rogers,
John Shawhan,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—39.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
John B. Arnold,
William Beeler,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Joseph Dougherty,
Alvin Duvall,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
Wm. M. Gray,
William M. Green,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
Edmund Wooldridge—59.

Mr. Duvall moved an amendment to said bill as a substitute.

Mr. McElroy moved an amendment to the amendment.

Mr. Duvall moved to refer said bill and amendments to a select committee of ten members.

Mr. Kavanaugh moved the following instructions to said committee:

That said committee report a provision giving to County Courts jurisdiction in all cases of appeals from Justices of the Peace.

That the committee also report a provision, giving the County Court jurisdiction of the sale of infants' estates, in such cases as such sales are now authorized by law.

That said committee report a provision, that the Justices of the county be associated with the Presiding Judge at the Court of Claims, and at the April or May terms of each year only.

On motion of Mr. McElroy,

Ordered, That said instructons be laid on the table.

Whereupon, Messrs. Duvall, Preston, McFarland, J. F. Todd, Williams, of Hancock, Kavanaugh, N. Green, W. W. Alexander, Logan, and Bradley, were appointed the committee.

The Speaker laid before the House the report of the Commissioners of the Cumberland Hospital, which is as follows, viz:

SMITHLAND, KY., January 2, 1851.

To the Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: Please lay the enclosed report before the body over which you preside, and oblige Yours, very respectfully,

WM. GORDON.

Report of the Trustees of the Cumberland Hospital to the Legislature of Kentucky, January 1, 1851.

1851.	CUMBERLAND HOSPITAL,	DR.
Jan. 1.	To Thomas McCormick, for 768 weeks board, and attention to patients, at $3 50 per week,	$ 2,688 00
	To same, for 441 days of small pox patients, at $2 per day,	882 00
	To same, for 20 burials, complete, at $6,	120 00
	To same, for washing 314 2-12 dozen, at 50 cents	157 08
	To same, for whitewashing Hospital buildings,	10 00
	To same, his account sundries,	3 35
	To D. B. Sanders, M. D., his salary for the year 1850,	300 00
	To E. P. Haynes & Co., their bill,	43 92
	To T. M. Davis, his bill,	59 65
	To Jno. B. Lignaige, his bill,	5 60
	To B. O. Thrift, his bill,	14 00
	To W. Gordon, his bill,	56 45
		$ 4,340 05

1851.	CUMBERLAND HOSPITAL,	CR.	
Jan. 1.	By balance due per last report,	$ 485 05	
	By this sum from U. States Treasury, for 1849,	440 00	
	By annual appropriation by the State, for 1850,	1,500 00	
	By Treasury U. States, for 1850,	880 00	
	Balance yet due Cumberland Hospital,	1,035 00	
			$ 4,340 05

From the foregoing statements of the accounts of the Institution, it will be seen that the expenses for the past year have been greater than the receipts by the sum of one thousand and thirty-five dollars. The reasons for this large expenditure are, first, the number of patients have been considerably augmented, and a number of them lingering, and consequently a long time in the Institution; and secondly, there have been eleven cases of small pox—and to have them provided with a temporary Hospital, and properly attended to, is very costly. Out of the

eleven cases not one have died. The whole number of patients admitted during the year, is one hundred and forty-six—deaths during the same time, twenty. An appropriation of one thousand and thirty-five dollars, to cover the present deficiency, and the usual annual appropriation of fifteen hundred dollars, it is presumed, with the amount expected from the United States Treasury, will be sufficient for the year 1851. It is desirable the appropriation should be made at as early a day as practicable; at all events, the present deficiency.

All of which is most respectfully submitted,

WM. GORDON,
H. F. GIVEN,
JAS. L. DALLAM,
J. L. HODGE,
T. M. DAVIS,
Trustees of Commercial Hospital.

Ordered, That said report be referred to the committee on Claims.

The Speaker laid before the House the annual exhibit of the Farmers Bank of Kentucky, which is as follows, viz:

FARMERS BANK OF KENTUCKY,
January 16, 1851.

SIR: Agreeably to the provisions of the charter, I herewith transmit an exhibit of the condition of this Bank on the 31st ultimo. Most respectfully,

JOHN H. HANNA, *Pres't.*

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

Condition of the Farmers Bank of Kentucky, and Branches, December 31, 1850.

MEANS.

Bills discounted,	$ 125,440 54	
Bills of Exchange,	236,602 53	
		$ 362,043 07
Real Estate, Banking House,		6,014 78
Due from Banks, viz:		
Eastern—Deposites in New York and Philadelphia,	$ 43,923 91	
Kentucky and Ohio,	57,810 57	
		101,734 48
Expenses, &c.,		11,290 82
Cash on hand, viz:		
In Gold and Silver,	$ 179,608 72	
In Notes of other Banks,	70,411 25	
		250,019 97
		$ 731,103 12

LIABILITIES.

Capital Stock,	$ 201,323 03
Circulation,	379,123 00
Due to Banks,	60,517 51
Due to Individual Depositors,	80,462 70
Discounts, Exchange, &c.,	9,676 88
	$ 731,103 12

JANUARY 16, 1851. J. B. TEMPLE, *Cashier.*

And then the House adjourned.

SATURDAY, JANUARY 18, 1851.

1. Mr. McFarland presented the memorial of sundry citizens, praying the establishment of a Medical Board.

2. Mr. Field presented the petition of sundry citizens of Bullitt county, in relation to licenses to peddlers.

3. Mr. Payne presented the petition of sundry citizens of Maysville, praying an amendment of the charter, so as to equalize the wards as to voting population.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. N. Green, Gardner, Allen, Owsley, and Riley; the 2d to the committee on Ways and Means; and the 3d to the committee on Propositions and Grievances.

Mr. Desha, from the committee on Claims, to whom was referred the petition of G. W. Miller. the petition of Thomas Brand, and the message of the Governor in relation to the Military Monument, asked to be discharged from the further consideration of the same, which was granted.

A message was received from the Senate, announcing their concurrence in the amendment of this House, to a bill from the Senate, entitled, an act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Horatio Fields, the son of Thomas J. Fields, of Bath county.

An act to amend an act to incorporate the town of Mayslick, in Mason county, approved February 1, 1837.

An act to amend the charter of the city of Augusta.

An act to incorporate the Richmond and Irvine Plank Road Company.

An act to incorporate the Deposit Bank of Paris, Bourbon county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Breckinridge Savings Bank.

An act to revive the Burlington and Dry Creek Turnpike Road Company.

An act to appoint two Trustees for Rockcastle Seminary, and for other purposes.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to create the office of Police Judge in the town of Clinton, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred bills of the following titles, viz:

A bill for the benefit of James Clark, late Sheriff of Casey county.

A bill for the benefit of Charles P. Tate, late Sheriff of Casey county,

Reported the same without amendment.

And the question being taken on ordering said bills to be engrossed and read a third time, it was decided in the negative; and so the said bills were rejected.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill for the benefit of the citizens of the town of Burksville.

By the committee on the Judiciary—2. A bill to amend the charter of the Eagle Creek, New Liberty, Owenton, and Scott county Turnpike or Plank Road Company.

By same—3. A bill to enlarge the jurisdiction of the Police Judge of the town of Hartford.

By same—4. A bill giving the Meade County Court jurisdiction of part of the Salt River and Bowlinggreen Road.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. N. Green,

Ordered, That the committee of the whole be discharged from the further consideration of the bill to fix the salaries of the County Judges, and regulate the jurisdiction of the County Courts; and that the same be referred to Messrs. Duvall, Preston, McFarland, J. F. Todd, Williams, of Hancock, N. Green, W. W. Alexander, Logan, and Bradley.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the bill to increase the jurisdiction of Justices of the Peace, reported the same without amendment.

Mr. G. I. Brown moved to recommit said bill to the committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Hampton, were as follows, viz:

Those who voted in the affirmative, were

R. T. Baker,	George W. Kavanaugh,	Thomas Y. Payne,
George I. Brown,	Hiram Klette,	John Rodman,
John B. Bruner,	Joseph H. Lewis,	Joseph W. Rowlett,
Edward F. Dulin,	Andrew S. Linn,	John F. Todd—13.
Randall G. Hays,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	William B. Murphy,
James M. Alexander,	Alfred F. Graham,	Benjamin L. Owens,
James B. Allen,	William H. Grainger,	Joel Owsley,
John B. Arnold,	William M. Gray,	Julian N. Phelps,
William Beeler,	Norvin Green,	Edward C. Purdy,
William S. Black,	William M. Green,	Burwell C. Ritter,
William Bradley,	Thomas S. Grundy,	C. C. Rogers,
Carlo B. Brittain,	George M. Hampton,	John L. Sallee,
George R. Burgess,	Samuel Hanson,	John Shawhan,
Wm. H. Calvert,	Wm. Harris,	George W. Silvertooth,
George T. Campbell,	Stilwell Heady,	Basil G. Smith,
Alexander P. Churchill,	Lysander Hord,	Ambrose H. Talbott,
Henry R. D. Coleman,	Samuel B. Jesup,	Jesse S. Taylor,
John W. Cook,	Daniel Landes,	William T. Terrill,
Winston J. Davie,	Peter Lashbrooke,	Thomas Todd,
Asbury Dawson,	Preston H. Leslie,	John Tompson,
Lucius Desha,	George W. Mansfield,	Thomas W. Varnon,
Joseph Dougherty,	Daniel Matthewson,	William T. Ward,
Alvin Duvall,	Hiram McElroy,	Elisha F. Wells,
Robert English,	John S. McFarland,	G. W. Williams, of B.
William H. Gardner,	James P. Metcalfe,	G. W. Williams, of H.
Bernard H. Garrett,	Strother D. Mitchell,	Marcus L. Williams,
Samuel L. Geiger,	George H. Morrow,	James T. Woodward—71.
Cyrenius W. Gilmore,	Joel Murphy,	

Mr. McElroy moved an amendment to said bill, and after some discussion had thereon, the hour of 11 o'clock, A. M., arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole on the bill to establish twelve Judicial Districts, and the amendments proposed thereto by Messrs. McElroy and W. M. Green; and the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts, Mr. Bruner in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bills and amendments aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

A message was received from the Governor, by Mr. Finnell, Secretary of State, which is as follows, viz:

To the General Assembly:

GENTLEMEN: The following resolution was laid on my table a few days since.

"*Resolved*, That the Governor be requested to lay before the Legislature by message, such statistical or other information as he may have in his possession, on the subject of the School and Sinking Funds."

It affords me great satisfaction to have an opportunity of communicating to the general assembly, such views and information as I have, touching subjects in which the state has so vital an interest.

An act passed and approved March 1, 1850, by the provisions of which the commissioners of the sinking fund are directed, out of the proceeds of the sinking fund, to pay the interest on the bonds and duplicates of bonds, held by the board of education, provided that the interest upon the bonds held by inviduals, shall *be first paid*. By another section the superintendent is directed, or vested with power to invest any surplus of the school fund in the purchase of the bonds of the state, held by individuals, and when purchased are to be held by the board of education, for school purposes. I am advised by the proceedings of the House of Representatives, that the committee on education in the House of Representatives, have reported a resolution endorsing the provisions of that law. I will therefore direct my inquiries to the subject, in the aspect in which it is presented by the act of March 1, 1850.

By the 1st section of the schedule of the new constitution, laws in existence inconsistent with the constitution, are void.

The question to be settled involves the true construction of section 34, article 2, and section 1, article 11, of the new constitution. The difference between the executive and the committee is this: the executive insists that the term "state debt," or "public debt," embraces only such debts as are due to individuals or corporations, for the payment of the principal of which the state is held bound, and which the state might properly be sued for, if a remedy for her default were provided by law; and so understanding the signification of the term "state debt," as us ed in the new constitution, the executive is satisfied that the resources of the sinking fund are, by the 34th section, article 2, of the new constitution, set apart to pay the interest of the debts due to inviduals *only*, and that any surplus which may exist in the sinking fund from year to year, is to be applied towards the payment of the principal of those debts.

Your committee insists that the school fund is embraced by the term "state debt," and the sinking fund is, therefore, by the 34th section, article 2 chargeable with the payment of the interest on the school fund; and that fund being a part of the "state debt," must of necessity be fully paid, before the resources of the sinking fund can be reduced, for it must be conceded by the committee that if the principal of the school fund is not to be paid by the sinking fund, then the interest is not chargeable to that fund. On the other hand, the executive admits that the principal of the school fund must be fully paid, if its interest is properly chargeable to the sinking fund.

In the outset, I lay down two principles of law, as properly bearing upon the question, if indeed they do not govern the case: First, if the words used are ambiguous, we are authorized to examine the facts attending the transaction about which the parties were treating at the time the ambiguous words were used, that their true sense and meaning may be learned; and secondly, that meaning shall be given to the terms that shall most certainly effectuate the object of the parties,—and whether the special, or general and popular signification of the term or terms shall be taken as the proper definition, must depend mainly on the fact as to which of those significations is most in harmony with the context of the instrument, and which will best carry out the intent of the parties.

I propose to show from the public records, and from facts and figures, upon which it is evident the framers of the 34th section, article 2, of the constitution acted, that the debt due from the state to individuals, has, since the first dollar of debt was created, been known and characterized as *the state debt*, and that the money set apart for school purposes, and afterwards appropriated to pay liabilities contracted for internal improvements, never was considered or reckoned as a part of the public debt—that while the obligation to pay the interest on the fund for the sustaining of common schools was recognized—that obligation was regarded as a duty, rather than a debt—and it never was contemplated that the principal of the school fund should be paid. And furthermore, that the convention considered the debts due to individuals and the school fund as separate and distinct—made them the subjects of different and distinct sections. The facts and figures exhibited before the convention, and which appear in the debates, show clearly that any other construction will not only defeat the purpose which the convention seem to have had in view in the adoption of the 34th section, to-wit: the payment of the public debt—but will render the 1st section of article 11 unnecessary, if not indeed absurd.

The sinking fund is composed of revenues derived from certain sources, set apart by acts of the general assembly, for the purpose of paying the interest and ultimately the principal of the debt of the state created by borrowing money for internal improvement purposes.

The school fund consisted originally of a portion ($850,000) of a sum of money deposited by the United States with the state of Kentucky. It belonged to the state, and by an act of the legislature was placed under the care and control of the commissioners of the sinking fund, with instructions that it should be invested in the stock of the banks of Kentucky, if the banks consented thereto, the interest or dividends to be kept apart from other funds of the state, and to be applied to the founding of a sys-

tem of common schools. In the event of the refusal of the banks to receive it as stock, the commissioners of the sinking fund were to seek some other investment. Governor Clarke, then chief magistrate of the state, had been directed to borrow money to enable the state to comply with her contracts made in the prosecution of internal improvements. He was limited to *five* per cent. interest. An advantageous loan, it was ascertained, could not be effected abroad, and the governor used the money which had been directed to be invested for school purposes, in the payment of debts to contractors in 1837–8, making, I presume, some minute or record of the fact on his executive journal.

While I have ever held, and yet hold the obligation of the state to pay the interest on the school fund as a high and sacred duty, yet I am inclined to think, if I were disposed to indulge in a strict legal analysis of this transaction, it might be made clear that the school fund never was a debt in a legal sense. That which is done by the agent of the state, if done in conformity to law, is the act of the state. If a state, having a sum of money in the hands of an agent, who is instructed to hold it for a particular purpose, directs that the money so held shall be passed to another agent, upon his executing the bond of the state for the sum passed to him, it can hardly be said to be a borrowing or lending of money. A *debt* cannot exist in law where the obligor and obligee is one and the same person. No one can be considered a debtor who has the power and the right to cancel, and at his own will and pleasure absolve himself from payment.

I take this view of the subject. The public will had been expressed through the representatives that this national bounty should be set apart for the laudable purpose of educating the children of the country, and bonds were executed as evidences that the public pledge would be kept. It never was contemplated that the evidences of this pledge should be cancelled by payment of the principal, the interest *alone* being the sum to be used. I am for holding the principal as a sacred fund—I am for the prompt payment of the interest, and I am for the application of that interest to school purposes. It is conceded that from the nature of the transaction by which the school bonds were issued, the sinking fund was then looked to as the source from which the interest on the school bonds was to be paid; but from various causes no payment of interest was made directly from the sinking fund for school purposes until that made by Governor Crittenden, under the act of 1850, in July last, which was made under circumstances to which I will hereafter advert.

Is the school fund a part of the state debt? and was it contemplated by the 34th section, article 2d, of the constitution, that the principal of that debt should be paid? This is a question of great magnitude—important alike to the parents and children of the state, and I beg that I may be pardoned for entering upon the examination of it somewhat in detail.

Governor Wickliffe is the first executive who presented in his message a view of the public or state debt: (See Message, Journal H. R., 1839–40.) I here quote his message: "A statement of the public debt of Ken-
" tucky at this time, with the means of payment, may not be deemed in-
" appropriate. The first debt created was $2,000,000, which was vest-
" ed in bank stock; the stock is worth the debt, and will ultimately pay
" it. The amount of debt created for purposes of internal improvement,
" and for which the bonds of the state are *held by individuals* is $1,765,-

"000. Kentucky received of the United States $1,433,757 39. $850,-
"000 of this sum was vested in internal improvement bonds, and con-
"stitutes now *the school fund*, the remainder was vested in bank stock for
"the use of the state. *If this be a debt, Kentucky owes it to herself, and it*
"*should not be charged against her.* * * * * It may then
"be stated that the whole amount of the *debt* which she owes to indi-
"viduals for bonds sold is $1,765,000." Here is the statement of the governor in his message to the legislature, a lawyer of acknowledged ability, the professed friend of schools, and the very individual whose signature is attached to the bonds executed to the board of education. From that time to the present, the sum of the bonds issued to individuals was classed and denominated "the state debt."

Governor Letcher (Journal of 1840–41, page 36) says:

"The money borrowed for internal improvement purposes, and for
"which bonds have been issued, amounts to $1,385,000, at an annual
"interest of five per cent., and $1,765,000 at six per cent., all of which
"loans have been made for extended periods, varying from 20 to 30
"years; and $566,000, at an interest of six per cent, payable in six
"years, making the aggregate amount issued $3,710,500; from which,
"however, should be deducted $917,500, the amount held by the board
"of education, and $20,000 held by the commissioners of the sinking
"fund—for these are debts due from *the state to itself*—which will leave
"the sum of $2,783,000 as *the exact amount of the public debt* for which
"bonds have been executed."

In his message 1841–2, (Journal, page 12,) Governor Letcher states the aggregate amount of the bonds issued at $3,710,500, and proceeds, "which includes $917,500, the amount held by the board of education, and "$20,000 held by the commissioners of the sinking fund, which leaves "the sum of $2,773,000 as *the exact amount of the public debt* for which "bonds had been executed."

Governor Letcher, 1842–3, states the actual debt of the state at $3,-902,783, which excludes the education bonds, and refers to a table accompanying his message, made by the secretary of state, (Mr. Harlan.) as containing a statement of the *debt of the state*. The statement is headed thus: "Statement showing the actual amount, &c., of the public debt of the state of Kentucky to the 24th December, 1842." In that statement the bonds to the board of education are not even alluded to.

Governor Letcher, in 1843–4, refers again to the report of the secretary for a list showing the actual amount of *state debt*. The report is headed as above, and states the aggregate at $3,964,500. The same secretary makes another and a different table which is thus headed: "Statement showing the actual amount, &c., of state bonds issued to the board of education and commissioners of the sinking fund." (See Journal, page 26.) Thus is presented two separate and distinct statements using the appropriate names to designate the two things—*state debt and school fund.*

Governor Owsley, in his message 1844–5, states the *debt* to be $4,269,-000, and sets forth the particulars composing the debt, and then refers to the report of the secretary of state, as exhibiting the items constituting the state debt. That table has the following heading: "A statement showing the amount of the *public debt of the state of Kentucky* to the 16th day of December, 1844." That statement is an appendix to the mes-

sage, and was prepared by the Hon. Ben. Hardin, then secretary of state. It does not include the school fund. But Gov. Owsley treats the school fund as another and a different thing; and says, "the commonwealth is under other *liabilities*, the accruing interest on which is, however, not chargeable to the sinking fund, but payable out of the public treasury." He then states the school fund to be $1,115,430. If that sum had been regarded as a state debt, then the debt should have been stated to be $5,384,430. At that session of the legislature, an act was passed, and I think I may safely say without a dissenting voice, ordering the bonds which had been given to the board of education to be burnt; they were burnt. The act provided, however, that duplicate lists, setting out the dates and amounts should be preserved, and that the public faith should be as fully pledged as if the bonds had not been burnt. There were two reasons for burning those bonds. It was not considered that the principal of these bonds was ever to be paid in money, and it was thought that one form of pledging the public faith was equal to another, as neither could or would be performed except by the will of the people. It was thought that by the preservation of those bonds, no possible good could be obtained, and great public injury to the state might have resulted. *They were drawn in the usual form, and passed by delivery*, and any man who might purloin them, or any superintendent who wished to amass a princely fortune by fraud, had nothing to do but go to the east and put them in the hands of a broker, receive the money, and they were lost to the school fund. The sum was too great to tempt any man with, especially when it was understood that the end which they were designed to accomplish could be accomplished as well without the risk as with it. Has the school system suffered by it? Public opinion is fixed upon the payment of the interest, and that is all that was ever contemplated to be paid.

The officers of the government have treated the subject in the same manner since, as before the burning.

Governor Owsley, in his next annual message, states that the state is indebted to the education fund in the sum of $1,115,430. He proceeds, and says: "the funded debt of the state, including every description of bonds issued and not cancelled, amounts to $4,408,400."

At this session of the legislature, an act passed incorporating the commissioners of the sinking fund, authorizing them to deal in bills of exchange, directing them to apply the proceeds of the sinking fund to the payment of the interest on money borrowed for internal improvements, and to apply the surplus, if any, to the payment of the public debt, &c. Under the provisions of that act, the proceeds of the sinking fund were, by Governor Owsley, applied alone to the interest due on the debt of the state, held by individuals; and, as I think wisely, the surplus was applied to the liquidation of the bonds of the state, payable in six years. If such had not been the case, an immediate necessity for taxation would have occurred, or other bonds must have been sold to pay for those then maturing. In 1846–7, Governor Owsley says the total amount *of state debt* is $4,596,026; and further says, "the means appointed by law for that purpose, have enabled the commissioners of the sinking fund, not only to diminish the state debt $63,430, but also to discharge the interest of the *entire debt*." There was not a dollar applied to the payment of the interest on the school fund. In his message, 1847–8, he recapitulates

the *state debt*, and states it at $4,596,026. In this message, Governor Owsley states the product of the resources of the sinking fund, at $326,600. That the liabilities, being the interest payable to individuals, was $264,250.

Proceeds of sinking fund, 1847,	$326,600
Interest off to individuals,	264,250
Balance,	62,450
The interest on the school fund at that time amounted to about the sum of	60,953
Which, if paid, would have left only a surplus of	$ 1,497

At this point it is important to notice the two surpluses—that which is left after paying the interest due to individuals, and that left after paying interest to individuals and the school fund, as it may serve to illustrate the question, as to which surplus, in point of fact, the convention looked in laying the foundation of the constitutional scheme for the extinguishment of the public debt. Was it $62,450, or $1,497?

Governor Crittenden, in his message, 1848–9, states the public debt to be $4,532,913 81. Deducting stocks in bank, leaves $3,262,413 81. The statement of the public debt in this message, and the resources of the sinking fund, were the bases of the calculation laid before the convention by the author of the 34th section, Mr. Bradley, and I invite especial attention to it, for it is an important item in the chain of facts which serve to illustrate the real meaning of that section. By that expose of the condition of the sinking fund, there was found to be a surplus of $83,971 57. Now, I apprehend it was the meaning of the convention, to operate upon the public debt by the *yearly* surplus after paying charges, and not upon any *casual* surplus that might *then* be on hand. Examine the statement of the message, and Mr. Bradley's speech, (debates p. 772) you will see that the surplus was produced by bringing forward surpluses which had accumulated by omitting to pay school fund interest, such as I have just exhibited, under Governor Owsley's administration, to-wit: $62,450. But I call your attention to the single item of the income, for one year, including gross receipts. He states it

to be	$328,265 61
The amount necessary to pay interest to individuals, &c.	263,614 82
Surplus,	64,650 79
Interest due on school fund,	60,953 00
Actual surplus if charged with school fund,	$ 3,703 79

The message does not show what sums are to be taken from the gross receipts of the year for expenses and charges. If these charges had been stated, instead of a surplus there would have been a deficit, after charging the fund with the interest on the school fund. Did the convention conceive the idea of paying a debt of over four millions by the yearly application of deficits? Surely no such folly will be attributed to them.

Now, the point I make by exhibiting these extracts from messages and

reports is, that wherever the term *state debt* is used, it is used to describe the debt due to individuals. The public debt was described as the debt due to individuals, by Governor Wickliffe, Governor Letcher, Governor Owsley, Governor Crittenden, and Secretaries Harlan and Hardin; a formidable array of names.

I now propose to show that the convention used the terms "state debt" and "school fund," in the same sense in which they had been used by the officers of the government, and the convention intended that the terms thus used, should be understood as they had been described and understood in the official records of the state.

The convention appointed two committees, one on the subject of the *state debt*, the other on the school fund. Mr. Kelly offered a series of resolutions, among which was the following: "That the common school fund shall be held inviolate." Mr. Root moved to amend the resolution by adding the following: "That a committee be appointed, consisting of five members, whose duty it shall be to report to this convention the best mode of *securing the common school fund*—as well as to its views as to enlarging the same." See the journal of the convention, pages 42–3. Subsequently, Mr. Brown offered a resolution to the same effect, but more extended, using this phrase in regard to the fund: "to be held as a *permanent and perpetual* school fund." The resolution was adopted. See journal, page 84.

Mr. Hardin offered the following resolution:

"*Resolved*, That a committee of nine delegates be appointed, whose "duty it shall be to inquire into *the public debt of the state*, the best prac- "tical mode, not only to prevent its future increase, but to liquidate the "same, *by the time it shall fall due*." See journal, page 64.

Mark the difference in the language. The *school fund* to be secured, *as a permanent and perpetual fund*. The *public debt* to be paid off and liquidated *by the time it falls due*.

Mr. Guthrie, the president of the convention, than whom, few, if any, better understand the nature of the public debt, and the power and capacity of the sinking fund, offered a clause in the convention touching the public debt. See debates of convention, 758. The proposition was debated, and subsequently, on page 766, modified and presented in the following form:

"The general assembly that shall first convene under this constitu- "tion, shall set apart an annual sum of at least $50,000 of the public "revenue, which shall be the first to be paid, and provide that the same, "and the surplus of the sinking fund, after paying *the interest on the pub- "lic debt*, shall be faithfully applied to the purchase and withdrawal of "the evidences of the debt of this commonwealth, until the whole of "said debt shall be discharged: *Provided*, if the annual sum so appro- "priated, shall not be sufficient to discharge the debt as *it shall come due*, "the general assembly shall have authority to create additional loans "for the punctual payment of the said debt."

Did the president of the convention seriously contemplate the payment and withdrawal of the list of bonds held by the board of education, when he used the term *evidences of the debt*. I know the president, and feel that I am authorized to say such an idea never entered his head. Now what is the substance of this proposition? Why, that there was a debt which Kentucky owed, and which ought to be paid *at maturi-*

ty, and as the foundation or basis of payment—a fund was looked to called the sinking fund, which produced an amount greater than its annual charge, which was called a surplus; to which he proposed to add $50,000, per year, from the revenue. This proposition of the president clearly implies the existence of a surplus, and if after paying the ordinary expenses of the government out of the ordinary revenue, there was not a surplus *of that fund*, taxation was the inevitable consequence, to an extent sufficient to produce a surplus in the ordinary revenue, equal to $50,000.

When this proposition was made, (see Debates, page 762,) Mr. Hardin arose and said: "I comprehend what the president means, and his "amendment, with a slight addition, will do exactly. That is, I sup- "pose he intends that the sinking fund shall be kept up to what it now "is, and then this other $50,000 shall be added to it." Mr. Guthrie, the president, replied "Yes sir."

Mr. Hardin exhibits then a table purporting to be the liabilities of the state, in which is stated the whole sum drawn from the United States, and the school fund, making an aggregate of over seven millions. That statement was taken from a report which he made as secretary of state in 1845–6, in which he makes this remark as to the school fund: "The debt due the school fund need not be provided for in this plan, because the state never will pay the principal of that debt." (See Legislative Documents, 1845–6, p. 634.) But to understand what Mr. Hardin meant by "*the public debt*," see his table of calculation appended both to his speech and report, where he demonstrates that $50,000, per year, aided by the increased surplus of the sinking fund, would, in thirty years, pay $4,190,038. I will add that calculation, as an appendix, and call attention to the fact, that upon the principle upon which it is based, the $50,000, in the first fifteen years, pays but the sum of $1,283,626, while in the next fifteen years it will pay $3,026,240. Examine the table and you will see the result. That satisfactorily demonstrates that Mr. Hardin and Mr. Guthrie clearly understood the force of the proposition. Bear in mind that the largest amount of the debt is due in twenty years, and it will require a much larger sum to begin upon to meet the debt in twenty than thirty years. Now the surplus in the sinking fund, after paying the interest on the individual debt, ranges from $60,000 to $70,000. If charged with the school fund interest, sometimes a surplus of from one to three thousand; at other times a deficit, as exhibited before the convention. Take the largest of these two latter sums, to-wit, $3,000, and it will require, as will be found upon calculation, 510 years to pay the public debt; a very *long replevy!* Now, which of those two surpluses did they mean to operate with, $60,000 or $70,000, or $1,000 or $3,000, and sometimes a deficit more than equal to the surplus. If $50,000 be added to the surplus, after payment of interest to individuals, you would have, annually, a fund equal to about one hundred and fifteen or one hundred twenty thousand dollars, which, if kept to that, (but bear in mind the banks expire in fifteen years,) would in the twenty years so far pay the public debt as to save the bank stock. Time may prove that the provision would have been a wise one. By that provision the public debt would probably have been so far paid as that the charter of the banks might have been renewed without hazard, and then the whole proceeds of the bank stock devoted to educational purposes; and the

power would exist to repeal the five cent tax which constitutes one of the *undiminishable* resources of the sinking fund, or the five cents might also be used for educational purposes. But that we may not be left in the dark as to Mr. Hardin's meaning of what constituted the state debt, see the statement which he exhibited to the convention, (and he was its organ on that subject,) on page 978. He there states it to be $4,497,152. Now if the school fund had been added, calculating it up to this time, it would have amounted to the sum of $5,023,922. Include the school fund under the term debt, then Mr. Guthrie and Mr. Hardin were advocating the propriety of increasing taxation to the amount, ultimately, *to pay the school fund off in money*. Would they have given such a vote? Would their calculations produce the result stated by them? No, not by thousands in dollars and years in time. Then those two gentlemen are placed in the awkard attitude of not knowing the force of their own words, and the following gentlemen, who voted for Mr. Guthrie's proposition in lieu of the 34th section, (see Debates, p. 777,) are placed in a similar category: Messrs. Guthrie, Barlow, Brown, Chenault, Davis, Dixon, Dudley, Dunavan, Garfielde, Hamilton, Hardin, Hay, Hood, Irwin, James, Lashbrooke, M. P. Marshall, McHenry, Meriwether, Mitchell, Moore, Morris, Newcomb, Nuttall, Preston, Rudd, Taylor, Todd, Turner, White, C. A. Wickliffe, G. W. Williams, and Woodson.

If the words "including the school fund" had been added after the word *state debt*, in Mr. Guthrie's proposition, how many of those gentlemen would have staked themselves up before the country as voting for taxation to pay it? I apprehend not one of them. If they would not, then they were ignorant of what the term *state debt* embraced. It will hardly be believed that those gentlemen, in their earnest efforts to provide for the payment of the public debt, were entirely unadvised of the character and amount of that debt.

At this time Mr. Bradley, the author of the 34th section, said to the convention, in substance, that the proposition of the president (Mr. Guthrie) would lead at once to taxation for the purpose of paying the public debt. He said he would offer a substitute for the proposition of the president, which would accomplish the same object without the necessity of taxation. He then proposed the 34th section, which is as follows:

"SECTION 34. The General Assembly shall have no power to pass laws to diminish the resources of the Sinking Fund, as now established by law, until the debt of the State be paid, but may pass laws to increase them; and the whole resources of the fund, from year to year, shall be sacredly set apart and applied to the payment of the interest and principal of the State debt, and to no other use or purpose, until the whole debt of the State is fully paid and satisfied."

Mr. Guthrie's proposition was adopted in the committee of the whole, and Mr. Bradley's adopted in the convention. Now, does the term *state debt*, as used in the 34th section, mean what it has always been held to mean, or does it mean something else, is the question. Upon presenting the proposition, Mr. Bradley read from Governor Crittenden's message, and distinctly stated *the public debt to be* $4,532,913. He then quoted from the message the resources of the sinking fund, and stated that there was then a surplus of $83,971 57, and that $77,068 of the *public debt* had been paid by the surplus before that day. Mr. Bradley proceeded to say if such surplus was, from year to year, faithfully applied, the public debt would be paid without taxation. Now, I again distinctly state that the school fund is not embraced in this statement of the public

debt, nor was the interest of the school fund calculated in or charged to the sinking fund; for if it had been, there would have been an actual deficit in place of a surplus. The surplus stated by Mr. Bradley was not for a single year, but included fractional surpluses of other years over payment of interest to individuals. Now where were the friends of education that they did not rise, and say to Mr. Bradley, you have not included the school fund in your statement of the public debt, nor do you make allowance for the payment of its interest? Were they listless and indifferent to the subject? or ignorant of their rights? or were they looking to a different source for the interest on that fund? We shall by and by see.

I beg now to refer you to the report of the commissioners of the sinking fund table, (No. 6,) for the exact condition of the sinking fund in 1849, the time at which the new constitution was made. It was somewhat difficult to determine the actual receipts appropriately belonging to any one year, and I have thought it most accurate to aggregate or put together four years, and dividing by four, ascertain the yearly income of the fund.

The first column on the table shows the receipts for a fraction of a year. I therefore select the years 1846, 7, 8, and 9. The aggregate net receipts for those years amounts to the sum of $1,263,925 83.

One-fourth of that sum shows the average yearly receipts of the sinking fund, - - - - - - - -	$315,981 45
The sum necessary to pay interest to individuals, and the present amount of interest on school fund, and to cover contingencies, is - - - - - - - -	329,000 00
Showing a yearly deficit of the sum of - -	13,018 55

An inability of the sinking fund to meet the payment of both interest accounts.

I now call attention to the additional fact, as exhibited by the table, that within those years there was received for railroad rent $63,935 62, and $9,828 14 from the Bank of the Commonwealth, and Old Bank of Kentucky. Nothing more need be expected from the railroad for three or four years, and but little if any thing from the banks.

There was paid in the year 1849, the sum of $27,000 of the proceeds of the five cents tax, which ought to have been paid in 1848. Thus you see it stated in 1848, $90,148 32 was received from the five cents revenue, and in 1849, $144,335 86. Take from the latter sum the sum of $27,000, and add it to the $90,148 32, for the year 1848, as shown by second auditor's report, and you exhibit an actual deficit of the net receipts, appropriately belonging to the year 1849, of $17,000—an inability by that sum to pay the interest account, including school fund.

That was the actual state of case at the formation of the constitution.

Now, I put it to the candor of any fair man, to say from this exhibition, did the convention mean to pay the public debt with the surplus, after paying the interest due to individuals, or with the *deficit* after paying interest to schools? It will not do to say the convention was ignorant of the facts so necessary to be understood to accomplish their avowed purpose. If they relied upon the surplus, after paying the interest due to individuals, then the section is one of sound meaning, and great value to

the commonwealth, and will, in a great measure, accomplish its avowed purpose. If they did in fact intend to pay the interest on the school fund, out of the proceeds of the sinking fund, it was idle and delusive.

But if the 34th section shall be made to include the school fund, then are the members of the convention convicted of having spent several days in discussing the vitally important question of devising the ways and means to pay the public debt, and exhibiting facts and figures stating its amount, and demonstrating the capacity of the fund set apart, and finally adopting a section the meaning of which they did not understand, and which, if practically carried out, according to the construction given by your committee, wholly defeats the purpose contemplated by the convention.

Can it be said that they have given the power to increase the resources of the sinking fund, and to that the convention looked for a surplus? No such meaning can be given, because the section must be understood as relating to an existing state of fact, which then exhibited an existing surplus and probable recurrence of surpluses. But the adoption of Mr. Bradley's amendment was a test vote between taxation and a payment with existing resources without taxation. Did the gentlemen, who voted for Mr. Bradley's amendment, understand that the sinking fund was to pay the interest on the individual debt and school fund? If they did, then they voted that the public debt should not be paid off; and decided that the five cents taxation should be perpetual, unless the people would consent to taxation to pay a debt of $5,859,683, which sum includes the school fund, or borrow the money and pay it off, which would not relieve the fund. Who can maintain himself by assuming such a proposition before an enlightened community? Nor can it be said that the convention looked to the surplus in the ordinary revenue, for Mr. Wickliffe offered the following as a section: "The general assembly shall also set apart, annually, any overplus in the sinking fund in addition to the $50,000, which shall be applied to the principal of the state debt." Mr. Wickliffe, in explanation of his purposes says: "It is admitted on all hands we shall save, by having our legislative sessions biennial, $50,000, annually, if our revenue remains as it now stands. I wish to lay hold of that surplus, by a constitutional provision, and apply it to the extinguishment of the debt, and not leave it for the legislature to appropriate to some other purpose." (See Debates, 776.) It was withdrawn as being embraced by the proposition of Mr. Guthrie.

After the adoption of Mr. Bradley's amendment, Mr. Wickliffe then offered the following: "If there shall not be an annual surplus in the sinking fund equal to $50,000 to be devoted to the payment of the principal of the state debt, the deficiency shall be made up by an appropriation from the revenue of the state, so that at least the sum of $50,000 shall be, annually, devoted to the extinguishment of said debt." Surely Mr. Wickliffe was not making provision for the payment of that, which in his message he says—"If this be a debt, it is one which the state owes to herself, and should not therefore be charged against her." But Mr. Wickliffe says, (page 781,) "I wish it to be understood here and at home, that I come here for the purpose of providing some system by which the public debt can be relieved." Again, in same speech: "It is believed the sinking fund will have an increase greater than $50,000. I hope it may; but when we remember the fund is drawn principally from taxa-

tion on bank stock, from dividends on bank stock, from dividends on public roads, it is subject to casualties and loss. There may be and has been a surplus for the last two or three years." Mr. Wickliffe's amendment was rejected. Thus the question is settled—the convention reject any mode of directing an increase, and of course determine to rely on the surplus arising from the resources proper of the sinking fund. I ask again, does this mean the surplus, after paying interest due on the state or individual debt, which, one year with another, will probably range from $60,000 to $70,000, or does it mean that surplus produced, after paying the interest on the school fund, which will oftener result in a deficit than in a surplus? Mr. Wickliffe's statements, when taken together, necessarily result in assuming the fact that the surplus was about equal to $50,000 annually. Now Mr. Wickliffe must be presumed, from his known ability, to have understood what he said. If he meant a surplus, after paying the interest to individuals, then he knew he was right, for the records show it. If he meant a surplus, after paying the interest to the school fund, the same records contradict the statement. But that we may not misunderstand what Mr. Wickliffe means by the term state debt, he says, $50,000, annually appropriated, will extinguish our state debt. (See Debates, 781.) Now here is a statement of fact, the truth of which could only be known by calculation. Well, that calculation has been made and laid before the convention, and the presumption is that Mr. Wickliffe had examined and understood it; the result of which is, that the sum named, will, in thirty years, pay $4,190,038, which is about $57,000 less than the debt due to individuals, excluding the bond to the Northern Bank and the school fund. And what is still more striking, that sum, compounding half yearly, pays $2,020,451 in the last ten years of the thirty, which is ten years after greatly the largest part of our debt falls due, and fifteen years after the banks will have ceased to yield a revenue unless rechartered.

The question of settling the public debt is now closed in the convention, and the next question with the convention was the adoption of a clause which would restrict the legislature in the power to contract debts. The result was, the adoption of the 36th section of article 2, which here follows:

"SECTION 36. No act of the General Assembly shall authorize any debt to be contracted on behalf of the Commonwealth, except for the purposes mentioned in the thirty-fifth section of this article, unless provision be made therein to lay and collect an annual tax sufficient to pay the interest stipulated, and to discharge the debt within thirty years; nor shall such act take effect until it shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it: *Provided*, that the General Assembly may contract debts, by borrowing money to pay any part of the debt of the State, without submission to the people, and without making provision in the act authorizing the same, for a tax to discharge the debt so contracted, or the interest thereon."

I invite your attention to the proviso to that section, and especially to the use of the term, *any part of the debt of the state*. Now, if the school fund is embraced within the term "debt of the state," the convention, instead of restricting the power to contract debt, by the proviso conferred the absolute and unquestioned power to borrow $1,326,770 01—the present amount of the school fund—to pay a nominal debt; and, when borrowed, without making provision by law for payment of interest or principal, may order it paid over to the superintendent of public instruction. And as he is the officer of the law, and as the school section does not di-

rect what shall be done with the principal of the fund when paid, the legislature can control its investment, only taking care that upon the face of the act the expressions are used—"the principal shall be held sacred, and the proceeds applied to schools." Can it be gravely argued that the convention intended to confer a right to create such a debt to pay off the school fund? Amidst all the discussion, and when the amount of public debt was every day reckoned and large surpluses relied upon, not a word was heard of the school fund and its interest. Were the committee on education unconscious of their rights and duties? I will presently show. I understand that proviso to be one of caution, adopted to confer upon the legislature—in the event the means set apart to pay the debt should prove inadequate—the power to extend, or borrow money to pay her actual debt; that debt which she was bound to pay or forfeit her honor; and no one thought of its embracing the school fund by the proviso. To whom is this 34th section directory? I contend it is directed to the legislature, as a limitation on their power, so far as the disposition of the fund is concerned. It is directory to the executive, whose duty it is to check encroachments upon the constitution, and to see that the laws are executed. It is directory to the judiciary, whose duty it is to expound the laws and protect the rights of the parties secured by the section. It is directory to the disbursing officer of the proceeds of the sinking fund—for though he may receive his commission or office from legislative authority, when in office he is bound to discharge his duty in accordance with the provision of the constitution; and, if he misapply the funds, he is individually responsible, for he is obliged to know that the constitution is the supreme law of the land.

We will now see where the friends of education, who were charged with the care of the school fund, stood in this conflict about the mode of paying the public debt. I invite your attention to the journal of the convention, page 135. You will see there seven different sections, intended to be engrafted in the constitution. In the second section the school fund is set forth as in the section adopted by the convention; and then the section proceeds to use these words: "the same is hereby set apart, dedicated, declared to be, and shall remain, *a perpetual fund*, the principal of which shall never be diminished by legislative appropriation or enactment." The sixth section presented by the committee is in these words: "the general assembly shall provide the *ways and means* for the prompt payment and safe custody of the interest now due, or which may hereafter accrue upon the bonds given by the state, and payable to the board of education."

Mark the difference in the language! The 34th section says, the debt of the state shall be paid, and the proceeds of the sinking fund shall be set apart for that, and used to no other, purpose. The school fund shall be a perpetual fund—the principal shall never be diminished—the interest shall be paid by the *ways* and *means* provided by the legislature. Now, does not the language employed present two very distinct and different ideas as to the disposition of the two things, or subjects?

There was opposition made to some of the provisions reported by the committee, when Mr. Wickliffe offered a proposition embracing in one section, in a more condensed form, the main features of the report of the committee, and rejecting those objected to, which was adopted, and here it follows:

"SEC. 1. ART. 11. The capital of the fundcalled and known as the "Common School Fund," consisting of one million two hundred and twenty-five thousand seven hundred and sixty-eight dollars and forty-two cents, for which bonds have been executed by the state to the board of education, and seventy-three thousand five hundred dollars of stock in the Bank of Kentucky; also, the sum of fifty-one thousand two hundred and twenty-three dollars and twenty-nine cents, balance of interest on the school fund for the year 1848, unexpended, together with any sum which may be hereafter raised in the state by taxation, or otherwise, for purposes of education, shall be held inviolate, for the purpose of sustaining a system of common schools. The interest and dividends of said funds, together with any sum which may be produced for that purpose by taxation or otherwise, may be appropriated in aid of common schools, but for no other purpose. The general assembly shall invest said fifty-one thousand two hundred and twenty-three dollars and twenty-nine cents in some safe and profitable manner; and any portion of the interest and dividends of said school fund, or other money or property raised for school purposes, which may not be needed in sustaining common schools, shall be invested in like manner. The general assembly shall make provision, by law, for the payment of the interest of said school fund: *Provided*, that each county shall be entitled to its proportion of the income of said fund, and if not called for, for common school purposes, it shall be re-invested from time to time for the benefit of such county."

Upon the adoption of this section, the chairman of the committee withdrew the sections reported.

The view I take of this section is, that the convention, having no money in fact to put at interest, but recognizing the once existence of a fund, the interest of which had been set apart for the founding and sustaining of a system of common schools, determined to give it vitality and a constitutional existence—that its recognition should be in the form of a bond bearing the signatures of the members of the convention, who acted for and in the name of the people—that it should remain untouched, unhurt, and inviolate, above and beyond the reach of the legislative arm—that the children of the state should never be compelled to look elsewhere than in the face of the constitution of their country, for the existence and recognition of the bounty set apart for them—that having fixed this fund in the constitution, they intended the payment of its annual interest to be equally sacred and obligatory, and for that purpose made the provision that the legislature should provide, by law, for the payment of the interest—that the payment of that interest constitutes the only constitutional obligation on the people to pay money for schools, and runs with the duration of the constitution—that the members of the convention, and especially the peculiar friends of education, in view of the calculations, demonstrating so clearly that the resources of the sinking fund were inadequate to the payment of the interest on the *state debt* and school fund, required that the legislature should provide the *ways and means* for the payment of the interest on the school fund. The requisition in the constitution omits the term ways and means, but if there is any meaning in words to provide for the payment of interest, it means no less than providing *the ways and means* to pay it.

Were the members of the convention so far deceived as to suppose that those words only implied an obligation on the members of the legislature to direct its payment out of a fund already provided, but by law or the constitution directed to be applied to another purpose? If so, why not direct the auditor to draw for it out of the ordinary revenue, and let the officers of the government look elsewhere for their pay? Or what is neither prevented by law or the constitution, direct that the two cents tax, collected for school purposes, be applied to the payment of the interest.

But if the committee's construction be right as to the 34th section, is it not passing strange that the convention, after having settled the ques-

tion, that both principal and interest of the school fund was to be paid by the resources of the sinking fund, should have gone through the formality of using words in relation to the school fund, which, when construed by plain thinking men, contradicts the idea of the payment of the principal, and used such language as would clearly imply that the raising of the interest was a thing which had *to be* done by subsequent legislation. Why produce ambiguity and confusion in the language employed in relation to two of the most important subjects about which they had been called to act? Why place common schools in the way of paying the public debt? Why make it encounter the opposition of those who look to the payment of the public debt as a matter deeply involving the public welfare? Why make the children look to a fund constantly fluctuating, subject to casualties, and, if the principles of the bill which the committee indorse be carried out, to-wit: that the school fund interest shall be postponed for the payment of the interest due to individuals, will cast the result of all casualties and defalcations upon schools. The convention did no such thing. They placed schools upon a much higher footing. They required that the income should be certain—that it should be provided for by the legislature without doubt or delay. They did not make the education of the children depend upon the income of slackwater navigation, turnpike roads, and bank dividends. They did not intend to make the children of the country sit down to the second table, and be helped by the crumbs left, after satisfying our foreign and eastern creditors. No! the framers of the convention set them down to a full table of their own, to the last crumb of their income, and said *you* should spread their board, and make provision for the supply. I demand it at your hands. If you fail to perform this plainly indicated duty, and evil shall befall the children, on your heads must rest the responsibility. "Thou can'st not say I did it."

But it is said, the provision that the legislature shall provide by law for the payment of the interest on the school fund, was intended and does give to schools a double guarantee. That is an idea ridiculous in conception, and unjust and most iniquitous in its practical execution, as I will undertake to demonstrate.

The idea is founded in the supposition that the school fund is to be paid off; and when paid, if not reinvested in such a manner as to produce the interest, you can fall back upon the provision that the legislature shall produce a supply equal to the deficiency. That is, the principal may—nay, must be paid off, and when paid, the whole people stand bound as security for the faithful taking care of the principal and the payment of the interest.

If the school fund is a state debt, then the constitution has decreed that it shall be paid off, and that the resources of the sinking fund shall not be diminished until it is fully paid. Other debts out of the way, and the five cents tax would pay the interest on the school fund, and each year liquidate $60,000 of the principal. I suppose it would not be consented to that it should be compounded, because that would create a necessity for taxation to raise an amount equal to the interest on the abatement of the principal; for the same amount must be raised every year. In the payment thus made in principal, interest, costs, and commissions, the people would be made to pay more than two millions of dollars to pay the principal of a debt, already at interest, that it might,

after being paid, be again put out at interest—a question of sufficient magnitude to induce the people to move at once the call for a convention to rid themselves of so unnecessary a burthen. But if the process of paying by small surpluses, shall be found too slow in its operations, the power to borrow is complete. Now suppose it paid in either form. The power of the legislature to direct the investment cannot be questioned. It may then be divided among the counties and loaned out, or it may be applied to building locks and dams, subscribed in railroad or bank stocks. If loss should attend any one or all these modes of investment, then it is argued the legislature must provide to cover the losses growing out of such investments. You thus offer inducements to the formation of combinations to promote sectional interests by the use of the money, whilst other sections lose nothing because they are protected by this double guarantee. That double guarantee may be made to fall back upon the heavy tax paying counties with a double vengeance—numbers control in legislation.

But that is not all that may be effected by assuming that the school fund is a state debt. The legislature have the power, it is conceded, to direct, by law, that the school fund shall bear six or twelve per cent., and thus, by an increase of interest, it may be made to absorb any surplus you can put into the sinking fund. Such a move would throw all surpluses in the hands of the superintendent, who, unless otherwise directed, may himself commence to purchase the bonds of the state held by individuals. That is precisely one of the provisions, and what is contemplated by the bill indorsed by the committee. Now, how will that scheme of finance work? The people's money is taken to pay or purchase in their own debts, and still they are not paid, because they are held by the board of education, and, being thus held, are still debts against the state; and under the authority of the proviso of the 36th section, there exists a clear right to borrow more money to pay them off. Thus, each payment may be made to re-produce a state debt equal to the amount paid. I am bold to say I would not trust to the care of a succession of superintendents, hundreds, thousands, and millions of state bonds. It would be a high stake to play for. I would have them cancelled, when paid. Those who choose to spring this leak in the new vessel at its launching, may do it—the fault shall not lie at my door.

But it may be said, I imagine what certainly will not occur. The question is, does such a power exist? I say it does not. The position assumed by the committee affirms that it does. Then, the power may be abused, for strange things happen in these days. The majority in numbers may, on calculation, by the principle of dividing out, lose nothing by it. But it may be said to me, your construction leads to taxation. Suppose it does? If it is the true construction of the constitution, the people have ordered it, and you are bound to obey. Such a result, in the very nature of things, must have been anticipated by the framers of the constitution.

That the purposes contemplated by the constitution cannot be carried out without it, is too palpable to admit of doubt. A reluctance to come up to this question, in days gone by, has been the means of using, for ordinary purposes of the government, the whole proceeds of the public lands in Kentucky—the amount of which I have no means of ascertaining—the interest and principal of $750,000 stock in the old Bank of Ken-

tucky—the dividends or profits of the Bank of the Commonwealth, amounting to one million and a quarter; and, if the course marked out by the committee be persisted in, will consume the whole proceeds of the sinking fund, and bring us up to the payment of our four millions of debt, with our means exhausted. In such a case, with this heavy demand resting upon the people, it requires no prophet to tell what will be the fate of common schools.

When the question was up before the convention, Mr. Hardin exhibited a list of the school fund bonds, made a calculation of interest, and distinctly announced, that to order the payment of the interest would lead to additional taxation. (See Debates, p. 881.) Mr. Gholson stated the same thing, page 884. Mr. Machen reiterated it, page 895. They were responded to by Messrs. Proctor, Taylor, Root, and Hood, neither affirming or denying the statement, and by Mr. Bowling, who virtually admitted it. See page 897, where he says: "But the gentleman from Caldwell (Mr. Machen,) would not force the state to pay the interest on this national gift, made sacred by a solemn act of the legislature, forever, to educational purposes. He thinks it might be inconvenient—*that is her concern, not mine.*"

Each of these gentlemen, in speeches highly creditable to themselves and the zealous and ardent friends of the system of schools, avowed their distrust of the legislature, and openly avowed their purpose to put the school fund out of the way of legislation.

Mr. C. A. Wickliffe offered, in convention, the following proposition: "All the funds which have been, or which may be collected, and for common school purposes, shall be held sacred, subject to be regulated by the general assembly, and applied and disbursed as shall seem best to effect the object of general education." Mr. Wickliffe withdrew his proposition; but if the construction given to the constitution by the committee shall be adopted, then the school fund is destined to be placed precisely where Mr. Wickliffe's proposition would have placed it, except as to the principle of distributing the fund among the counties. (See page 889.)

It is contended that the constitutional question has been settled against me by the executive, in the person of Governor Crittenden. I am not advised of Governor Crittenden's opinions on this question. I took an oath upon my installation into the office I now hold, to support the constitution. I have read it, and studied to understand it, and in justice to myself I must interpret as I understand it. Governor Crittenden did pay the first installment of interest on the education bonds, due the 1st July, 1850. The commissioners of the sinking fund were directed by the act now indorsed by the committee, approved March 1, 1850, to pay the interest. The constitution was proclaimed as such on the 20th day of June, 1850. It only operated upon the proceeds of the sinking fund actually produced from and after its adoption; and unless it can be shown that the money he paid was the actual proceeds of the fund between the 20th June and the 1st of July, his act does not at all bear upon the question; for all admit that prior to the adoption of the constitution, the legislature had the indisputable right to direct the funds to be applied in any manner they thought proper.

Again: it is contended that a proposition offered by Mr. Kavanaugh, and rejected, was decisive of the question at issue. The following is the

proposition: "The proceeds of the slackwater navigation of the state, are to form part of the sinking fund, nor is the said sinking fund in any manner to be chargeable with the payment of the interest or principal of the school fund, now due by the state to the board of education." It will be remembered that in the creation of the sinking fund, the proceeds of slackwater constituted part of the fund. In 1848–9, the Legislature, by statute, directed that the proceeds of slackwater should thereafter be set apart, and held sacred for schools, and that the sinking fund should be credited by the proceeds. (See statute, 1849.) Mr. Kavanaugh made his motion under the belief that the proceeds constituted no part of the avails of the sinking fund, and his purpose was to restore it. The question was an entire one, and to vote for it would have had the effect by constitutional enactment, to restore the proceeds of slackwater to that fund, and take it from schools. Mr. Hardin announced that such was the nature of the proposition. But all those who believed as I do, that the meaning of the constitution is, that the sinking fund clause, as adopted, does exclude the idea of paying the interest and principal of the school fund out of the sinking fund, together with those who wanted to retain for schools all they were entitled to under the laws, might well have voted against it. But if that vote is construed to settle affirmatively the proposition negatived, then it means that the convention did settle by that vote, that the interest and principal of the school fund should be paid by the proceeds of the sinking fund, and that the proceeds of slackwater should not be restored. Thus abstracting $25,000 annually, and imposing upon the remaining fund a duty which it was wholly unable to perform *with the* $25,000. That negative vote counts nothing in the settlement of the question. The proposition was rejected.

But by indorsing the act of 1850, the committee affirm another proposition from which I dissent; that is, the power to postpone the school creditors until other creditors were fully paid. If the school fund is a debt, in the meaning of the constitution, the commissioners of the sinking fund hold the funds in trust for all; and in default of ability to pay all, a *pro rata* distribution must be made. The legislature have no power to distinguish between the rights of creditors—the constitution sets it apart as a joint fund for all, and the statute cannot take it away. If the legislature can postpone the school creditors, then they have a right to postpone individual creditors for the benefit of schools. That is just the power which the legislature had before the adoption of the constitution. So nothing is gained by the constitution.

Upon an accurate calculation of the receipts of the sinking fund for the years 1850 and 1851, it appears, and I communicate the fact, that the sinking fund can pay all its charges and the interest on the school fund up to the first day of January 1852, and on that day, according to what I think a fair estimate of the receipts for 1851, have a surplus of $20,092.

I will now explain this state of things that you and the country may not be deluded into a hope of its continuance. You will perceive by the report of the commissioners of the sinking fund, that for 1850 the banks paid $64,715 50 more than in any one of the preceding four years. The rivers, however, paid about $20,000 less.

The extra dividends for the years 1850 and 1851 amount to $55,695; of that sum $18,798 was paid in for 1851, and but for that extra divi-

dend, the sinking fund on the 1st day of January, 1851, would have exhibited, after paying school fund interest, a surplus of $1,294 only. Eight per cent. dividends upon the whole bank stock produces the sum of $101,640 per year. In two years the sum of $203,280. For the two years 1850 and 1851, the sinking fund has received from the banks $274,-174, including extra dividends, showing a receipt of dividends over eight per cent of $70,894.

But for those extraordinary dividends, the sinking fund would lack an ability to pay the interest on both funds up to 1st January, 1852, the sum of about $50,000. The extra dividends are, for the greater part, derived from the proceeds of the funds received from the judgment of the Bank of Kentucky against the Schuylkill Bank. But for the extra dividends from that source alone the sinking fund would, on the 1st day of January, 1852, be deficit $35,602 15 in the payment of interest on both funds. I am assured that no further aid need be looked to from that source for two or three years; and that the banks will not, in all probability, be able to declare a greater dividend than eight per cent. It is from the Bank of Kentucky the sinking fund derives its greatest aid, receiving only from the others the net sum of $13,948, at eight per cent dividends. I have thus presented the figures as they stand for the term I will continue connected with the administration of the affairs of the government. I will not indulge in anticipations for a time beyond that period. To that you must turn your attention—to the prospect before you for 1852. Look to the competition in banking. Look to the projects of railroads proposed to be brought in competition with your turnpikes and slackwater. Look well to the state of your ordinary revenue. Imagine to yourselves, the keepers of the two funds in conflict for supremacy, the sinking fund commissioners insisting upon retaining a surplus bearing some just proportion to the amount received and disbursed, with a view to guard against casualties that may happen, and preserve from ruin the resources themselves, that the public credit may be preserved from dishonor. Look to all this as becomes legislators, and ask yourselves if you had not better at once meet the crisis. Determine to preserve the public honor, pay the public debt, and sustain schools. It may not be inappropriate here to announce that I have an offer to redeem five per cent. bonds, to a very considerable amount, on terms advantageous to the state.

If you pursue that course, you will know that you have not violated the constitution. If you cannot meet the emergency in time, you have the power to borrow money to meet the temporary deficit.

Allow me to present for your consideration a single fact, which must result from the policy indicated by your committee. If the taxes are increased three cents on the one hundred dollars, it will produce $75,000 a year. In fifteen years that sum will produce $1,125,000. If you will apply $75,000, annually, to the liquidation of the public debt, together with the increased surplus annually produced by thus reducing the principal of the public debt, you will have paid, in the fifteen years, $1,925,-428. Now, I concede if you would, in like manner, compound the $75,-000 raised by taxation, it would produce precisely the same result. But that would be levied for a domestic purpose. It would be taken from the pockets of the people, would be expended for the purpose of educating the children of the country, and, being expended for that purpose, would speedily again find its way to the pockets of the tax payer. It

is an unwise policy to attempt to compound, at interest, a sum which must be expended at home, and for domestic purposes. The sum that will be produced by the three cents tax, will pay, promptly and fully, the interest due on the school bonds; but if you refuse the three cents tax, you thereby assume a debt of $1,326,770—the amount of school bonds—and you also determine that the five cents tax, now raised for the sinking fund, must be continued until the whole debt, including the school bonds, is fully paid. Would it not be the part of wisdom to begin at once to pay the public debt, while we have the bank dividends to aid us? If the legislature will at once provide, by law, the means to pay the interest on the school fund, and permit the sinking fund commissioners to appropriate the surplus at their command, the public debt may be paid without the slightest oppression to the people. If, however, we begin to postpone the day for beginning to pay the debt of the state, the day of reckoning, which is fast approaching, will bring with it a train of troubles and distresses for the people, which are not now dreamed of.

Let us look a little ahead. In 1865–'6, our bank charters expire. In eighteen and twenty years nearly all our state debt falls due. If the money is demanded when due, we must pay or be dishonored. If we are compelled to pay, and make payment at New York, where much the larger portion of our bonds are payable, can our banks, even if they are re-chartered, withstand such a demand for eastern exchange? If then we cannot pay, we will be pretty much at the mercy of our creditors, so far as a contract for further time is concerned. They will prescribe the terms upon which we may hope to gain time. It will not do to say that we will fix the terms. The right belongs to our creditors, and our people will not think of divesting them of that right, because we may have the power to do it.

But that is not all. There is owing by the different states of the United States, between one hundred and fifty and two hundred millions of dollars. The greater part of this vast sum matures about the same period that the larger part of our debt matures. And, there are banks in the United States with an aggregate incorporated capital of over two hundred millions of dollars, the charters of the larger number of which expire about the same period. New York, alone, has a capital of about $29,000,000 in banks, the charters of which expire in 1866. There is now, in all the banks of the United States, but little over $45,000,000 of specie. Kentucky owes very nearly one-tenth of that sum. An immense sum of the vast debt of Great Britain falls due in 1865. What great crisis in the financial world will distinguish the period at which these vast debts mature, is more than I can foretell; but I submit it to you if it is not the part of prudence, at least, to be prepared for the worst? It is said, however, by some, that these are questions which concern posterity—not the present generation—and we are advised to let posterity take care of itself. We created this debt, and, as honest men, mindful of our duties to our country, our children, and ourselves, we are bound by every consideration of honor and patriotism, to pay our part of it.

The people of Kentucky look with interest to the settlement of this question. It is one of great magnitude, and I trust and believe you will meet it in such a manner as shall best promote the honor and glory of our beloved commonwealth. You have the power to determine wheth-

er Kentucky shall begin at once to pay her public debt, or whether she shall again begin the ruinous policy of procrastination. Do not be deceived by the cry that it is a war between the school fund, which belongs to the children of our state, and our foreign creditors. It is no such thing. It is as much your duty to provide for the payment of the interest on the school fund, as it is to pay the interest and principal of your public debt, and I am sure you will so regard it. The constitution declares that the resources of the sinking fund shall be dedicated to the payment of the interest and principal of the debt of the state. The constitution also declares that the interest on the school fund shall be paid, and by that instrument it is made your imperative duty to provide for the payment of that interest, and I believe it is as much your duty, acting under the constitution, to provide the means to pay the interest on the school fund, as it is to protect and vindicate the constitutional dedication of the resources of the sinking fund to our individual creditors. Follow the path of duty as marked out in the constitution, and I do not permit myself to doubt that you will receive, upon your return to your constituents, their cheerful and hearty congratulations.

JOHN L. HELM.

JANUARY 19, 1850.

A Table showing how, by the investment of $50,000 *per annum, the State Debt may be paid off.*

1st January, 1847, invested, - - -	$50,000 00	
1st year's interest, - - - -	3,000 00	
2d year's investment, - - - -	50,000 00	
	103,000 00	January 1, 1848
2d year's interest, - - - -	6,180 00	
3d year's investment, - - - -	50,000 00	
	159,180 00	January 1, 1849
3d year's interest, - - - - -	9,550 80	
4th year's investment, - - - -	50,000 00	
	218,730 80	January 1, 1850
4th year's interest, - - - -	13,123 84	
5th year's investment, - - - -	50,000 00	
	281,854 60	January 1, 1851
5th year's interest, - - - -	16,911 27	
6th year's investment, - - - -	50,000 00	
	348,765 87	January 1, 1852
6th year's interest, - - - -	20,925 95	
7th year's investment, - - - -	50,000 00	
Amount carried forward, - - -	419,691 82	January 1, 1853

Amount brought forward, - - -	419,691 82	January 1, 1853
7th year's interest, - - - -	25,181 50	
8th year's investment, - - - -	50,000 00	
	494,873 32	January 1, 1354
8th year's interest, - - - -	29,692 39	
9th year's investment, - - - -	50,000 00	
	574,565 71	January 1, 1855
9th year's interest, - - - -	34,473 94	
10th year's investment, - - - -	50,000 00	
	659,039 65	January 1, 1856
10th year's interest, - - - -	39,542 37	
11th year's investment, - - - -	50,000 00	
	748,582 02	January 1, 1857
11th year's interest, - - - -	44,914 92	
12th year's investment, - - - -	50,000 00	
	843,496 94	January 1, 1858
12th year's interest, - - - -	50,609 81	
13th year's investment, - - - -	50,000 00	
	944,106 75	January 1, 1859
13th year's interest, - - - -	56,646 40	
14th year's investment, - - - -	50,000 00	
	1,050,753 15	January 1, 1860
14th year's interest, - - - -	63,045 18	
15th year's investment, - - - -	50,000 00	
	1,163,798 33	January 1, 1861
15th year's interest, - - - -	69,827 89	
16th year's investment, - - - -	50,000 00	
	1,283,626 22	January 1, 1862
16th year's interest, - - - -	76,997 57	
17th year's investment, - - - -	50,000 00	
	1,410,623 79	January 1, 1863
17th year's interest, - - - -	84,637 42	
18th year's investment, - - - -	50,000 00	
	1,545,261 21	January 1, 1864
18th year's interest, - - - -	92,715 67	
19th year's investment, - - - -	50,000 00	
	1,687,926 88	January 1, 1865
19th year's interest, - - - -	101.278 60	
20th year's investment, - - - -	50,000 00	
Amount carried forward, - - -	1,839,255 48	January 1, 1866

Amount brought forward, - - - -	1,839,255 48	January 1, 1866
20th year's interest, - - - -	110,355 32	
21st year's investment, - - - -	50,000 00	
	1,999,610 80	January 1, 1867
21st year's interest, - - - -	119,976 64	
22d year's investment, - - - -	50,000 00	
	2,169,587 44	January 1, 1868
22d year's interest, - - - -	130,175 24	
23d year's investment, - - - -	50,000 00	
	2,349,762 68	January 1, 1869
23d year's interest, - - - -	140,985 75	
24th year's investment, - - - -	50,000 00	
	2,540,748 43	January 1, 1870
24th year's interest, - - - -	152,444 90	
25th year's investment, - - - -	50,000 00	
	2,743,193 33	January 1, 1871
25th year's interest, - - - -	164,591 59	
26th year's investment, - - - -	50,000 00	
	2,957,784 92	January 1, 1872
26th year's interest, - - - -	177,467 09	
27th year's investment, - - - -	50,000 00	
	3,185,252 01	January 1, 1873
27th year's interest, - - - -	191,115 12	
28th year's investment, - - - -	50,000 00	
	3,426,367 13	January 1, 1874
28th year's interest, - - - -	205,582 02	
29th year's investment, - - - -	50,000 00	
	3,681,949 15	January 1, 1875
29th year's interest, - - - -	220,916 94	
30th year's investment, - - - -	50,000 00	
	3,952,366 09	January 1, 1876
30th year's interest, - - - -	237,171 96	
	$4,190,038 05	

Mr. Logan moved that the Public Printer forthwith 10,000 copies of said message for the use of the members of this House.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Robert English,	Strother D. Mitchell,
James M. Alexander,	Bernard H. Garrett,	Morton P. Moore,
Wm. W. Alexander,	William H. Grainger,	Thomas Y. Payne,
James B. Allen,	Samuel Hanson,	Edward C. Purdy,
John B. Arnold,	Randall G. Hays,	Thomas W. Riley,
Robert A. Athey,	Lysander Hord,	Burwell C. Ritter,
William Beeler,	Samuel B. Jesup,	John Rodman,
William Bradley,	George W. Kavanaugh,	Jesse S. Taylor,
George I. Brown,	Hiram Klette,	Thomas Todd,
John B. Bruner,	Preston H. Leslie,	Thomas W. Varnon,
George R. Burgess,	Joseph H. Lewis,	William T. Ward,
William H. Calvert,	Andrew S. Linn,	G. W. Williams, of B.
Alexander P. Churchill,	Caleb W. Logan,	George W. Williams, of H.
Winston J. Davie,	William C. Marshall,	Marcus L. Williams,
Edward F. Dulin,	Hiram McElroy,	James T. Woodward,
Alvin Duvall,	John S. McFarland,	Edmund Wooldridge—48.

Those who voted in the negative, were

William S. Black,	Norvin Green,	Benjamin L. Owens,
Carlo B. Brittain,	William M. Green,	Joel Owsley,
George P. Brown,	Thomas S. Grundy,	Julian N. Phelps,
George T. Campbell,	George M. Hampton,	C. C. Rogers,
Henry R. D. Coleman,	William Harris,	Joseph W. Rowlett,
John W. Cook,	Stilwell Heady,	John L. Sallee,
Asbury Dawson,	Samuel A. Kingman,	John Shawhan,
Lucius Desha,	Daniel Landes,	George W. Silvertooth,
Joseph Dougherty,	Peter Lashbrooke,	Basil G. Smith,
Richard H. Field,	George W. Mansfield,	Albert G. Talbott,
William H. Gardner,	Daniel Matthewson,	Ambrose H. Talbott,
Samuel L. Geiger,	James P. Metcalfe,	William T. Terrill,
Cyrenius W. Gilmore,	George H. Morrow,	John F. Todd,
John G. Gooch,	Joel Murphy,	John Tompson,
Alfred F. Graham,	Wm. B. Murphy,	Elisha F. Wells—46.
William M. Gray,		

The Speaker laid before the House the response of the Second Auditor to the resolution of Mr. Rowlett, on Thursday last.

For Response—see Legislative Documents.

Ordered, That the Public Printer print 150 copies of said response for the use of the members of the General Assembly.

Mr. Field, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to authorize the County Court of Nicholas county to change, alter, or discontinue a State road in said county.

An act to reduce the corporate limits of the town of Monticello.

An act for the benefit of the Sheriff of Caldwell county.

An act to repeal an act declaring Whippoorwill a navigable stream.

An act to amend an act for the benefit of William Joshua Barney and Georgiana, his wife.

An act to incorporate the Henry Female College.

An act to amend an act approved November 18, 1850, to settle the dividing lines of Estill and Owsley counties.

An act to confirm a sale made to S. S. Atwell, by the Second Auditor, of a house and lot in Brandenburg.

An act to amend an act, entitled, an act for the benefit of the soldiers of the late war with England, &c.

An act to amend the Police Law of the town of Bedford, in Trimble county.

An act to incorporate Curd Lodge, No. 175.

An act to incorporate Somerset Royal Arch Chapter, No. 25.

An act for the benefit of Jesse Cassity, late Sheriff of Morgan county.

An act for the benefit of Nathan B. Lowe and Joshua West.

An act for the benefit of Allen C. Scott.

An act to amend an act, entitled, an act for the benefit of the Laurel County Seminary, approved February 28, 1835.

An act to repeal so much of an act, approved February 23, 1849, as declares Three Mile Creek, in Lawrence county, a navigable stream.

An act to amend an act, entitled, an act to amend the charter of the town of Bowlinggreen, approved 5th March, 1850.

An act to establish the Police Court of Flemingsburg.

An act to establish an additional Justices' and Constables' District, in Fulton county.

An act to incorporate the Hall of Simpson Division, No. 75, Sons of Temperance.

An act to enlarge the limits of the town of New Market, in Marion county.

An act for the benefit of the Clerk of the Union County Court.

An act to authorize the Trustees of Paris to levy a tax upon the property of the citizens of said town, and upon the property within a mile of said town, to aid in the construction of the Covington and Lexington Railroad.

And bills and resolutions which originated in the Senate, of the following titles, viz:

An act for the benefit of Ephraim Smith.

An act for the benefit of William R. Gough, of Graves county.

An act to reduce the number of districts in Mercer county, for the election of Justices of the Peace and Constables.

An act to amend the act incorporating the Warsaw Turnpike Road Company.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

A resolution of instruction to the committee on Banks.

A resolution to add Camden M. Ballard, and others, to the committee to visit the Institute of the Blind, and Marine Hospital.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Leave was given to bring in the following bills, viz:

On motion of Mr. McFarland—1. A bill for the benefit of Abner Lea, late Sheriff of Daviess county.

On motion of Mr. Grainger—2. A bill for the benefit of the Portland Dry Dock and Insurance Company.

On motion of Mr. Arnold—3. A bill to repeal all laws legalizing the sale of Lottery Tickets, and for other purposes.

On motion of Mr. Matthewson—4. A bill for the benefit of the Trustees of Waidsboro', in Calloway county.

Ordered, That the committee on Ways and Means prepare and bring in the 1st; the committee on the Judiciary the 2d; the committee on Religion the 3d; and Messrs. Matthewson, Bradley, and Landes, the 4th.

And then the House adjourned.

MONDAY, JANUARY 20, 1851.

1. Mr. Landes presented the petition of the Trustees of Cadiz, praying that they be permitted to sell a street in said town.

2. Mr. Shawhan presented the remonstrance of sundry citizens against the establishment of another gate on the Cynthiana and Millersburg Turnpike Road.

3. Mr. Rowlett presented a letter from A. Caldwell, in relation to School District, No. 24, in Owen county.

4. Mr. Black presented the petition of sundry citizens of Morgan county, praying that Robert S. Carter be compelled to build a slope to his mill dam.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d to the committee on Internal Improvement; the 3d to the committee on Education, and the 4th to the committee on Propositions and Grievances.

Mr. Linn moved a reconsideration of the vote rejecting the following bills, viz:

A bill for the benefit of James Clark, late Sheriff of Casey county.

A bill for the benefit of Charles P. Tate, late Sheriff of Casey county,

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bills be referred to the committee on Ways and Means.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hawkins—1. A bill to incorporate the Acolean Building Company, of Bowlinggreen.

On motion of Mr. T. Todd—2. A bill to amend the charter of the town of Shelbyville.

On motion of Mr. Silvertooth—3. A bill for the benefit of School District, No. 20, in Fulton county.

On motion of Mr. Arnold—4. A bill to amend an act to incorporate the town of Lancaster.

On motion of Mr. Morrow—5. A bill for the benefit of Braxton Small, Clerk of the McCracken Circuit and County Courts.

Ordered, That Messrs. Hawkins, Calvert, and Burgess, prepare and bring in the 1st; Messrs. T. Todd, Leslie, and Lewis, the 2d; the committee on Education the 3d; Messrs. Arnold, Calvert, and Woodward, the 4th, and Messrs. Morrow, McElroy, and Cook, the 5th.

Mr. Field, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the Sheriff of Bullitt county, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on Ways and Means.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate the Mayslick and Sardis Turnpike Road Company.

An act declaring Little Sandy navigable to the mouth of Laurel Creek, in Morgan county.

An act to legalize an order of the Fulton County Court, in changing a road.

An act for the benefit of the Sheriff of Grant county.

An act to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

An act for the benefit of the heirs of James G. Hazelrigg, deceased.

An act to incorporate the Liberty and Hustonville Turnpike Road Company.

An act disposing of the vacant lands in Floyd county.

An act for the benefit of School District, No. 29, in Owen county.

That they had passed bills of the following titles, viz:

An act to incorporate the Farmers' Turnpike Road Company.

An act granting the town of Salvisa a Police Judge and Town Marshal.

An act to incorporate Hebron Lodge, No. 19, Independent Order of Odd Fellows.

An act for the benefit of the Sheriff of Bath county.

An act to amend the charter of the Lexington, Frankfort, and Versailles Turnpike Road Company.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act allowing an additional district in Jefferson county, for the election of Justices of the Peace and Constables, and for other purposes.

An act for the benefit of William J. Sandford, Sheriff of Boone county.

An act for the benefit of Clement Conner, late Sheriff of Montgomery county.

An act for the benefit of Iron Masters in Caldwell county.

An act to incorporate the Greenville Institute.

An act to amend an act, entitled, an act for the benefit of Common Schools in Graves county, and for other purposes.

An act to incorporate Hancock Division, No. 12, Sons of Temperance, of the State of Kentucky.

An act allowing additional districts in Wayne and Pulaski counties, for the election of Magistrates and Constables, and for other purposes.

Approved January 16, 1851.

The Speaker laid before the House the response of the Adjutant General to a resolution from this House, which is as follows, viz:

ADJUTANT GENERAL'S OFFICE,
FRANKFORT, Jan. 20, 1851.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

In compliance with a resolution of the House, directing "that the Adjutant General be directed to furnish the committee on Military Affairs with the number of divisions, brigades, and regiments, and the relative strength of each, in this Commonwealth," I have the honor of submitting the following report:

There are, under the present organization of the militia, fourteen divisions; the relative strength of each, as taken from the latest returns in this office, is as follows:

Division No.	1,	6,900
	2,	4,842
	3,	6,190
	4,	3,956
	5,	6,806
	6,	8,015
	7,	3,539
	8,	8,314
	9,	7,160
	10,	4,885
	11,	6,772
	12,	6,036
	13,	5,637
	14,	7,871
Aggregate strength,		86,923

There are twenty-nine brigades, the relative strength of each, as taken also from the latest returns in this office, is as follows:

Brigade No.	1,	2,242
	2,	2,721
	3,	1,353
	4,	2,271
	5,	1,532
	6,	4,183
	7,	2,206
	8,	4,839
	9,	2,333
	10,	5,662
	11,	3,313
	12,	3,718
	13,	2,497
	14,	2,742
	15,	1,887
	16,	3,157
	17,	2,428
	18,	2,378
	19,	2,159
	20,	10,381
	21,	1,206
	22,	2,956
	23,	5,216
	24,	2,658
	25,	2,892
	26,	2,509
	27,	3,665
	28,	3,224
	29,	4,059

There are, under the present organization, one hundred and forty-two "regiments, the relative strength of each" I have no means of ascertaining, as the regimental returns are, by law, made to the Brigadier Gener-

als—and not to the Adjutant General—whose duty it is to consolidate them into brigade returns, one copy of which is required to be transmitted to this office, annually.

I have the honor to be, very respectfully,
P. DUDLEY, *Adjutant General.*

Ordered, That said response be referred to the committee on Military Affairs, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

The House again resumed the consideration of the bill to increase the jurisdiction of Justices of the Peace, which reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, so much of the second section of the act, entitled, "an act to amend the law in trials cognizable before Justices of the Peace," approved February 13, 1828, as restricts the jurisdiction of Justices of the Peace to fifty dollars, in the causes of action in said section enumerated, is hereby repealed; and in such causes of action, said Justices shall have original concurrent jurisdiction to the amount of one hundred dollars, with the same rights of appeal and jury trial, in said section prescribed; and hereafter, said section shall read and be construed as though the words "one hundred" were substituted in said section for the word "fifty."

The amendment proposed by Mr. McElroy to said bill was to strike out the word "concurrent," and insert "exclusive."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and McElroy, were as follows, viz:

Those who voted in the affirmative, were

Wm. Beeler,	Alfred F. Graham,	Joel Owsley,
Wm. S. Black,	Wm. H. Grainger,	Julian N. Phelps,
Carlo B. Brittain,	Wm. M. Gray,	C. C. Rogers,
George P. Brown,	George M. Hampton,	Joseph W. Rowlett,
George R. Burgess,	Stilwell Heady,	John L. Sallee,
John W. Cook,	Samuel A. Kingman,	George W. Silvertooth,
Winston J. Davie,	Daniel Landes,	Basil G. Smith,
Lucius Desha,	Daniel Matthewson,	Albert G. Talbott,
Richard H. Field,	Hiram McElroy,	John Tompson,
William H. Gardner,	Strother D. Mitchell,	Thomas W. Varnon,
Cyrenius W. Gilmore,	George H. Morrow,	G. W. Williams, of H.
John G. Gooch,	Benjamin L. Owens,	Marcus L. Williams—36.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	John S. McFarland,
James M. Alexander,	Samuel L. Geiger,	James P. Metcalfe,
William W. Alexander,	Wm. M. Green,	Joel Murphy,
James B. Allen,	Thomas S. Grundy,	Thomas Y. Payne,
John B. Arnold,	Samuel Hanson,	Edward C. Purdy,
R. T. Baker,	Wm. Harris.	Thomas W. Riley,
William Bradley,	P. B. Hawkins,	Burwell C. Ritter,

George I. Brown,
John B. Bruner,
Wm. H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
John Rodman,
John Shawhan,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
Edmund Wooldridge—50.

Mr. Wooldridge moved to refer said bill to the committee on County Courts.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and McElroy, were as follows, viz :

Those who voted in the affirmative, were

William W. Alexander,
R. T. Baker,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
Robert H. Campbell,
Edward F. Dulin,
Richard H. Field,
William M. Green,
P. B. Hawkins,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Strother D. Mitchell,
Wm. B. Murphy,
John Rodman,
C. C. Rogers,
Basil G. Smith,
John F. Todd,
William T. Ward,
Edmund Wooldridge—23.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
Silwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Wm. C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward—69.

Mr. McElroy moved to amend said bill by striking out the words "one hundred," wherever they occur in said bill, and insert in lieu thereof the words "two hundred."

Mr. J. F. Todd moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and McElroy, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Joseph H. Lewis,	William B. Murphy,
Wm. W. Alexander,	Andrew S. Linn,	Basil G. Smith,
George I. Brown,	Caleb W. Logan,	John F. Todd,
Edward F. Dulin,	Wm. C. Marshall,	Thomas Todd—14.
William M. Green,	Joel Murphy,	

Those who voted in the negative, were

James M. Alexander,	John G. Gooch,	Benjamin L. Owens,
James B. Allen,	Alfred F. Graham,	Joel Owsley,
John B. Arnold,	Wm. H. Grainger,	Thomas Y. Payne,
R. T. Baker,	William M. Gray,	Julian N. Phelps,
William Beeler,	Norvin Green,	William Preston,
William S. Black,	Thomas S. Grundy,	Edward C. Purdy,
William Bradley,	George M. Hampton,	Thomas W. Riley,
Carlo B. Brittain,	Samuel Hanson,	Burwell C. Ritter,
George P. Brown,	Wm. Harris,	John Rodman,
John B. Bruner,	P. B. Hawkins,	C. C. Rogers,
George R. Burgess,	Stilwell Heady,	Joseph W. Rowlett,
William H. Calvert,	Lysander Hord,	John L. Sallee,
Robert H. Campbell,	Samuel B. Jesup,	John Shawhan,
George T. Campbell,	George W. Kavanaugh,	George W. Silvertooth,
Alexander P. Churchill,	Samuel A. Kingman,	Albert G. Talbott,
Henry R. D. Coleman,	Hiram Klette,	Ambrose H. Talbott,
John W. Cook,	Daniel Landes,	Jesse S. Taylor,
Winston J. Davie,	Peter Lashbrooke,	William T. Terrill,
Asbury Dawson,	Preston H. Leslie,	John Tompson,
Lucius Desha,	George W. Mansfield,	Thomas W. Varnon,
Joseph Dougherty,	Daniel Matthewson,	William T. Ward,
Robert English,	Hiram McElroy,	Elisha F. Wells,
Richard H. Field,	John S. McFarland,	G. W. Williams, of H.
William H. Gardner,	James P. Metcalfe,	Marcus L. Williams,
Bernard H. Garrett,	Strother D. Mitchell,	James T. Woodward,
Samuel L. Geiger,	Morton P. Moore,	Edmund Wooldridge—80.
Cyrenius W. Gilmore,	George H. Morrow,	

The question was then taken on the adoption of the amendment of Mr. McElroy, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	William H. Grainger,	Thomas W. Riley,
William Beeler,	William M. Gray,	C. C. Rogers,
Carlo B. Brittain,	William M. Green,	John L. Sallee,

George P. Brown,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Edward F. Dulin,
Robert English,
William H. Gardner,
Cyrenius W. Gilmore,
Wm. Harris,
George W. Kavanaugh,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Joel Owsley,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
John F. Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
Edmund Wooldridge—33.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
John B. Arnold,
R. T. Baker,
William S. Black,
William Bradley,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John Shawhan,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams,
James T. Woodward—61.

Mr. Hanson moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rogers and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
Carlo B. Brittain,
John B. Bruner,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Robert English,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
William H. Grainger,
Wm. M. Gray,
George M. Hampton,
Samuel Hanson,
William Harris,
Hiram Klette,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
Wm. T. Terrill,
John F. Todd,
John Tompson,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—38.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William M. Green,	Joel Murphy,
James M. Alexander,	Thomas S. Grundy,	William B. Murphy,
William W. Alexander,	P. B. Hawkins,	Benjamin L. Owens,
R. T. Baker,	Stilwell Heady,	William Preston,
Wm. Bradley,	Lysander Hord,	Edward C. Purdy,
George I. Brown,	Samuel B. Jesup,	Thomas W. Riley,
George P. Brown,	George W. Kavanaugh,	Burwell C. Ritter,
William H. Calvert,	Samuel A. Kingman,	John Rodman,
Robert H. Campbell,	Daniel Landes,	C. C. Rogers,
Henry R. D. Coleman,	Preston H. Leslie,	John L. Sallee,
Winston J. Davie,	Joseph H. Lewis,	Basil G. Smith,
Asbury Dawson,	Andrew S. Linn,	Albert G. Talbott,
Lucius Desha,	Caleb W. Logan,	Jesse S. Taylor,
Joseph Dougherty,	George W. Mansfield,	Thomas Todd,
Edward F. Dulin,	William C. Marshall,	Thomas W. Varnon,
Richard H. Field,	John S. McFarland,	William T. Ward,
Cyrenius W. Gilmore,	James P. Metcalfe,	G. W. Williams, of H.
Alfred F. Graham,	Strother D. Mitchell,	Edmund Wooldridge—55.
Norvin Green,		

Mr Leslie moved to amend said bill by adding thereto the following proviso, viz :

Provided, That when any suit shall be instituted before any Justice of the Peace, for a sum greater than fifty dollars, the plaintiff shall pay into the hands of such Justice, the same tax fee that is now required by law to be paid to the Clerk upon the institution of a suit in the Circuit Court; and said Justice shall account for and pay the same over to the trustee of the jury fund of his county, under the same rules, regulations and restrictions, that Justices of the Peace are now required by law to account for fines and forfeitures.

And the question being taken thereon, it was decided in the affirmative.

Mr. Rodman moved to postpone the further consideration of said bill until Monday next.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and McElroy, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Robert H. Campbell,	William C. Marshall,
James M. Alexander,	Edward F. Dulin,	Strother D. Mitchell,
William W. Alexander,	William M. Green,	Joel Murphy,
R. T. Baker,	George W. Kavanaugh,	John Rodman,
Carlo B. Brittain,	Samuel A. Kingman,	Basil G. Smith,
George I. Brown,	Preston H. Leslie,	John F. Todd,
George P. Brown,	Joseph H. Lewis,	William T. Ward,
John B. Bruner,	Caleb W. Logan,	Edmund Wooldridge—24.

Those who voted in the negative, were

James B. Allen,	William M. Gray,	Joel Owsley,
John B. Arnold,	Norvin Green,	Thomas Y. Payne,
William Beeler,	Thomas S. Grundy,	Julian N. Phelps,
William S. Black,	George M. Hampton,	William Preston,
William Bradley,	Samuel Hanson,	Edward C. Purdy,
George R. Burgess,	William Harris,	Thomas W. Riley,
George T. Campbell,	P. B. Hawkins,	Burwell C. Ritter,
Alexander P. Churchill,	Stilwell Heady,	C. C. Rogers,
Henry R. D. Coleman,	Lysander Hord,	Joseph W. Rowlett,
John W. Cook,	Samuel B. Jesup,	John L. Sallee,
Winston J. Davie,	Hiram Klette,	John Shawhan,
Asbury Dawson,	Daniel Landes,	George W. Silvertooth,
Lucius Desha,	Peter Lashbrooke,	Albert G. Talbott,
Joseph Dougherty,	Andrew S. Linn,	Ambrose H. Talbott,
Robert English,	George W. Mansfield,	Jesse S. Taylor,
Richard H. Field,	Daniel Matthewson,	William T. Terrill,
Wm. H. Gardner,	Hiram McElroy,	John Tompson,
Bernard H. Garrett,	John S. McFarland,	Thomas W. Varnon,
Samuel L. Geiger,	James P. Metcalfe,	Elisha F. Wells,
Cyrenius W. Gilmore,	Morton P. Moore,	G. W. Williams, of H.
John G. Gooch,	George H. Morrow,	Marcus L. Williams,
Alfred F. Graham,	William B. Murphy,	James T. Woodward—68.
William H. Grainger,	Benjamin L. Owens,	

Mr. J. F. Todd moved an amendment to said bill.

And after some discussion had thereon, the hour of 11 o'clock, A. M., arrived, when the House proceeded to the orders of the day.

Bills from the Senate of the following titles, viz:

1. An act to incorporate Wayne Lodge, No. 119, of Free and Accepted Masons.

2. An act for the benefit of the Sheriff of Taylor county.

3. An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets in Portland to be closed.

4. An act to amend the act incorporating the Maysville and Lexington Railroad Company.

5. An act to authorize a change in the State Road, leading from Canton to Hickman.

6. An act to incorporate the Springfield and Marion County Turnpike Road Company.

7. An act to incorporate the Pleasant Run Turnpike Road Company.

8. An act for the benefit of the children and heirs of Michael Duvane and Penelope Thornton, deceased.

9. An act to incorporate the Licking Packet Company.

10. An act to authorize the Trustees of the town of Springfield to subscribe stock in a Turnpike Road.

11. An act for the benefit of Thomas L. Garrard, of Pendleton county.

12. An act to prevent the close shaving of the convicts' heads in the Penitentiary.

13. An act to incorporate the Breckinridge Savings Bank.

14. An act to revive the charter of the Burlington and Dry Creek Turnpike Road Company.

15. An act to appoint two Trustees for Rockcastle Seminary, and for other purposes.

16. An act to incorporate the Farmers' Turnpike Road Company.

17. An act granting the town of Salvisa a Police Judge and Town Marshal.

18. An act to incorporate Hebron Lodge, No. 19, Independent Order of Odd Fellows.

19. An act for the benefit of the Sheriff of Bath county.

20. An act to amend the charter of the Lexington, Frankfort, and Versailles Turnpike Road Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was ordered to be read a third time; the 2d, 11th, and 19th, were referred to the committee on Ways and Means; the 3d, 8th, 17th, and 18th, to the committee on the Judiciary; the 4th, 5th, 6th, 7th, 9th, 10th, 14th, 16th, and 20th, to the committee on Internal Improvement; the 12th to the committee on the Penitentiary; the 13th to the committee on Banks; and the 15th to the committee on Education.

The Speaker laid before the House the report of the Institute for the Education of the Blind.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 1,000 copies of the same—500 for the use of the members of this House, and 500 for the use of the Institution.

The Speaker laid before the House the report of the Lunatic Asylum, at Lexington.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 1,000 copies of said report—500 of which for the use of the members of this House, and 500 for the use of the Institution.

Mr. Garrett moved a reconsideration of the vote on Saturday last, ordering the Public Printer to print 10,000 copies of the Governor's Message, delivered on that day.

And the question being taken thereon, it was decided in the affirmative.

The question was again taken on printing 10,000 copies of said message, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lewis and Leslie, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
John B. Arnold,
R. T. Baker,
William Beeler,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Bernard H. Garrett,
William H. Grainger,
William M. Green,
Samuel Hanson,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Wm. B. Murphy,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—47.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
William S. Black,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
William H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Elisha F. Wells—46.

Mr. Jesup moved the following resolution, viz:

Resolved, That from and after this day, this House will not take up any special business—but will act on all general laws five days in each week, and that Saturday of every week be set apart for the purpose of special business.

Which was adopted.

Mr. Bruner moved that the House now resolve itself into a committee of the whole on the bill from this House to establish twelve Judicial Circuit Districts, and the various amendments proposed thereto, and the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts, being the unfinished order of Saturday last.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Ward, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Cyrenius W. Gilmore,	Daniel Matthewson,
Wm. Beeler,	John G. Gooch,	John S. McFarland,
Wm. Bradley,	Alfred F. Graham,	Strother D. Mitchell,
John B. Bruner,	William M. Gray,	George H. Morrow,
George R. Burgess,	Wm. M. Green,	Joel Murphy,
William H. Calvert,	Thomas S. Grundy,	Edward C. Purdy,
Henry R. D. Coleman,	Lysander Hord,	John L. Sallee,
John W. Cook,	George W. Kavanaugh,	John Shawhan,
Winston J. Davie,	Samuel A. Kingman,	George W. Silvertooth,
Lucius Desha,	Daniel Landes,	Basil G. Smith,
Joseph Dougherty,	Preston H. Leslie,	Thomas Todd,
Edward F. Dulin,	Joseph H. Lewis,	Elisha F. Wells,
Bernard H. Garrett,	Andrew S. Linn,	G. W. Williams, of H—40.
Samuel L. Geiger,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	George M. Hampton,	Wm. Preston,
James M. Alexander,	Samuel Hanson,	Burwell C. Ritter,
William W. Alexander,	William Harris,	John Rodman,
John B. Arnold,	P. B. Hawkins,	C. C. Rogers,
R. T. Baker,	Stilwell Heady,	Joseph W. Rowlett,
Wm. S. Black,	Samuel B. Jesup,	Albert G. Talbott,
Carlo B. Brittain,	Hiram Klette,	Ambrose H. Talbott,
George I. Brown,	Peter Lashbrooke,	Jesse S. Taylor,
George P. Brown,	Caleb W. Logan,	William T. Terrill,
Robert H. Campbell,	George W. Mansfield,	John F. Todd,
George T. Campbell,	William C. Marshall,	John Tompson,
Alexander P. Churchill,	Hiram McElroy,	Thomas W. Varnon,
Asbury Dawson,	James P. Metcalfe,	William T. Ward,
Robert English,	Benjamin L. Owens,	Marcus L. Williams,
Richard H. Field,	Joel Owsley,	James T. Woodward,
Wm. H. Gardner,	Thomas Y. Payne,	Edmund Wooldridge—50.
Norvin Green,	Julian N. Phelps,	

The House then took up the bill concerning Free Negroes and Mulattoes, and the substitute proposed therefor by the select committee.

The question was then taken on the adoption of said substitute, and it was decided in the affirmative.

The said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the assessors of tax in each county of this commonwealth, in the year one thousand eight hundred and fifty one, and every year thereafter, to ascertain and make due return thereof, of the name, age, sex, and color, whether black or mulatto, of each and every free negro and mulatto within each county; and the clerk of the county court shall make, annually, within a book to be kept for that purpose, a full and complete register from the assessors' books, of all such free negroes and mulattoes so ascertained and returned, which shall be open at all times to any and all persons desiring access thereto.

§ 2. That it shall be the duty of the clerk of the county court of each county in this commonwealth, within the month of July of each year, to issue a summons

in the name of the commonwealth, directed to the sheriff of his county, commanding each and every free negro and mulatto, by his or her name, within his county, who, if a male, shall be over the age of twenty-one and under the age of fifty years, and if a female, over the age of eighteen and under the age of forty-five years, to appear before him, at his office, within ten days after the service of such process, and to exhibit their freedom papers before said clerk, if any they have; and, if they have no freedom papers, to produce such evidence as they can that he or she was free-born; and the clerk shall, thereupon, make a record in said book, of all such as shall appear before him in obedience to such process, together with a description of the individual so appearing, including the name, age, sex, color, heighth, and visible marks upon his or her face, head, or hands, as well as a statement when and by whom he or she was emancipated, or, if free-born, where he or she was born, and who were his or her parents; and shall also make out a true and complete copy of said record, accompanied with the seal of his office, and attested with his signature; and shall deliver such copy or certificate so made out, to the person whose description it purports to be; and, upon the delivery of said certificate by the clerk, to the person entitled thereto, he or she shall pay the sum of two dollars, of which the sum of fifty cents shall be retained by the clerk for his fees, and fifty cents to be paid over by him to the sheriff for his services, and the balance shall be accounted for and paid over by him, in the same manner and under the same regulations that he is by law required to account for and pay over tax on seals and deeds; but no tax for annexing the county seal shall be demanded.

§ 3. That if any free negro or mulatto, being duly served with process as aforesaid, and failing to appear before the clerk within the time specified, or, if appearing shall fail to comply with the requisitions of this act, it shall be the duty of said clerk to make return thereof to the next county court of his county, by way of information; and, thereupon, the court shall direct an attachment to issue against said free negro or mulatto so failing to appear, returnable to the next term of said court, to show cause, if any he or she can, why he or she shall not be fined for such failure; and said court, upon the return of said attachment executed, shall try said information in a summary manner, by the intervention of a jury, who may find said free negro or mulatto guilty, and assess a fine against him, her, or them, in any sum not exceeding ten dollars, each; and, thereupon, said court shall render judgment for the amount of said fine and the cost of the prosecution, and the clerk shall, within ten days after the adjournment of said court, issue a *capias profine* for the amount of said fine and costs, against such free negro or mulatto, by the authority of which the sheriff of the county, to whom the same shall be directed, shall, unless the same be paid, take such free negro or mulatto into his possession, and shall, at the next county court, proceed to hire out such free negro or mulatto to such person as will pay the amount of said execution for the shortest time of service; and the sheriff shall deliver such free negro or mulatto to the person so hiring, and shall take bond with good surety, to secure the payment of said hire, within three months, payable to the commonwealth of Kentucky, which bond shall have the force and effect of a replevin bond, and shall make return of said *capias profine*, together with said bond, to the clerk of his county, within ten days after such hiring; and when said bond shall fall due, the clerk shall issue an execution thereon, directed to the sheriff of the county where the obligors to said bond reside, for the amount thereof; and the said sheriff shall collect the same and pay it over to said clerk, and take his receipt therefor; and said clerk shall account for and pay over the same, in the same manner and under the same regulations as he is directed to account for and pay over tax on seals and eds; and the hirer shall also enter into bond, with good surety, payable to the commonwealth of Kentucky, in the penalty of one thousand dollars, conditioned that he will not remove such free negro or mulatto without the bounds of the coun-

ty where such hiring shall have taken place, during the term of service, and that he will treat such free negro or mulatto with humanity, and feed and clothe him well.

§ 4. The money thus collected and paid over by the clerks of this commonwealth shall be forever set apart and applied in aid of such free negroes and mulattoes as shall hereafter voluntarily emigrate from this state to Liberia; each emigrant to be entitled to receive therefrom the sum of fifty dollars, upon his or her producing to the auditor of public accounts a certificate, with the county seal annexed, from the clerk of the county court of the county in which such free negro or mulatto resides, stating that such free negro or mulatto is an actual resident of his county, and has executed bond with good surety, in double the amount to be drawn from the treasury, conditioned that he or she will, without delay, emigrate to Liberia, and never after return and settle in this state; and the auditor shall issue his warrant for the same, which shall be paid by the treasurer, out of the fund aforesaid, and no other.

§ 5. That the assessor shall be allowed the sum of five cents for each free negro or mulatto listed and returned by him upon his books.

§ 6. That if any free negro or mulatto shall pass his or her certificate aforesaid to any person of color, whether that person be free or slave, for purposes in contravention of this act, or to aid and assist any slave or slaves in escaping from the service of his or her owner or owners, such free negro and mulatto shall forfeit his or her freedom, and, upon presentment by the grand jury, shall be placed upon their trial before a jury of the country, and being convicted thereof, shall be sold, under direction of the court, at the next county court day thereafter, by the sheriff, at the court house door of his county, to the highest bidder, into perpetual bondage; and the sheriff shall account for and pay over into the treasury of the state, the proceeds of such sale; and the same, when paid into the treasury, shall forever be a part of the fund set apart as aforesaid, in aid of the transportation of such free negroes and mulattoes as may hereafter emigrate to Liberia from this state, as aforesaid.

§ 7. That if any free negro or mulatto, now residing without the limits of this state, and hereafter removing to and settling in this state, or any free negro or mulatto now residing within this state, and having left and settled without the limits of this state, and shall return and settle again within the limits of this state, such free negro or mulatto shall be deemed guilty of felony, and shall, upon indictment by a grand jury, and upon conviction thereof before a jury of the country, be sentenced by the court before whom the trial shall be had, to undergo confinement at hard labor in the jail and penitentiary house of this commonwealth, for a period of not less than two nor more than five years.

§ 8. Persons convicted under the seventh section of this act, after they have served the time of confinement in the penitentiary, or after they may have been pardoned, who fail to leave, but remain in this state for a period of thirty days, shall be guilty of felony, and punished by confinement in the penitentiary for a period of not less than five nor more than ten years for each offense.

§ 9. That hereafter, no free negro or mulatto shall purchase or otherwise acquire any real estate within this state; nor shall they become the owner of any slave or slaves, unless for the purpose of carrying such slave or slaves without the bounds of this state; and any property or slave acquired contrary to this section, shall be forfeited to the commonwealth without office found, and shall be sold, under the direction of the court, and the proceeds of sale shall form a part of the fund as created by the fourth section of this act.

Mr. W. M. Green moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Varnon and A. G. Talbott, were as follows, viz:

Those who voted in the affirmative, were

R. T. Baker,	William H. Gardner,	William Preston,
William Beeler,	Cyrenius W. Gilmore,	John Rodman,
Carlo B. Brittain,	William M. Green,	Basil G. Smith,
George I. Brown,	Samuel A. Kingman,	John F. Todd,
William H. Calvert,	Hiram Klette,	William T. Ward,
Robert H. Campbell,	Preston H. Leslie,	Marcus L. Williams,
George T. Campbell,	Caleb W. Logan,	James T. Woodward,
Edward F. Dulin,	Joel Murphy,	Edmund Wooldridge—25.
Robert English,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Morton P. Moore,
James M. Alexander,	William M. Gray,	George H. Morrow,
William W. Alexander,	Norvin Green,	Benjamin L. Owens,
James B. Allen,	Thomas S. Grundy,	Joel Owsley,
John B. Arnold,	George M. Hampton,	Thomas Y. Payne,
William S. Black,	Samuel Hanson,	Julian N. Phelps,
William Bradley,	William Harris,	Edward C. Purdy,
George P. Brown,	P. B. Hawkins,	Thomas W. Riley,
John B. Bruner,	Stilwell Heady,	C. C. Rogers,
George R. Burgess,	Lysander Hord,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel B. Jesup,	John L. Sallee,
Henry R. D. Coleman,	George W. Kavanaugh,	John Shawhan,
John W. Cook,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Joseph H. Lewis,	Albert G. Talbott,
Asbury Dawson,	Andrew S. Linn,	Ambrose H. Talbott,
Lucius Desha,	George W. Mansfield,	Jesse S. Taylor,
Joseph Dougherty,	William C. Marshall,	William T. Terrill,
Richard H. Field,	Daniel Matthewson,	Thomas Todd.
Bernard H. Garrett,	Hiram McElroy,	John Tompson,
Samuel L. Geiger,	John S. McFarland,	Thomas W. Varnon,
John G. Gooch,	James P. Metcalfe,	G. W. Williams, of H.—65.
Alfred F. Graham,	Strother D. Mitchell,	

A message was received from the Governor, by Mr. Finnell, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,
January 20, 1851.

Gentlemen of the Senate and House of Representatives:

I herewith transmit resolutions passed by the Convention to revise the Constitution of the State of New Hampshire, in relation to the compromise measures.

JOHN L. HELM.

Resolutions Passed by the Convention to Revise the Constitution of the State of New Hampshire, January 1, 1851.

Resolved, That in the struggle that resulted in our independence as a nation—amidst the embarrassments arising from the imperfection and weakness of the old

confederation, and in the calm wisdom that framed and secured the adoption of the present constitution of our country, we recognize the guidance of a merciful, benign, and overruling Providence.

Resolved, That we regard the union of these states under the constitution of the United States, as the source of the innumerable blessings of the past, and of all our hopes for the future, and that every motive of grateful recollection and confident anticipation prompts us to maintain that union and that constitution.

Resolved, That with the fidelity which honor and integrity demand, we will observe and fulfil the "explicit and solemn compact" to which the convention of 1788, in the name of the people of this state, gave their ratification and assent; and while we enjoy the privileges it confers, we will never seek to avoid the duties it imposes.

Resolved, That "the blessings of liberty to ourselves and our posterity" can only be perpetuated by a strict observance of all the provisions of the constitution, and by cultivating that spirit of kindness, conciliation, and concession in which the sacred compact had its origin.

Resolved, That we hail with joy the apparent prevalence of better and more fraternal feelings between patriotic citizens of the southern and northern states—that the attitude of the executive and legislative departments of the general government, upon the subject of the union, is characterized by elevated purpose and statesmanlike forecast; and that we will firmly stand by and maintain the compromise measures of the last session of congress, regarding them as, on the whole, not merely wise and patriotic, but essential to the union and prosperity, peace and progress of this great confederacy.

Resolved, That the resolutions adopted by this convention, relating to the union, be signed by the president and countersigned by the secretary, and that the president be requested to transmit copies thereof to the president of the United States, the heads of the several departments, the governors of the several states of the union, and to each of our senators and representatives in congress.

FRANK. PIERCE, *President.*

THO'S. J. WHIPPLE, *Secretary.*

Ordered, That said message be referred to the committee on Federal Relations.

And then the House adjourned.

TUESDAY, JANUARY 21, 1851.

1. Mr. Lewis presented the petition of sundry citizens of Glasgow, praying that a part of Race street may be sold.

2. Mr. Morrow presented the petition of J. J. Hall, praying permission to sell some negroes which he had imported into this State.

3. Mr. G. T. Campbell presented the petition of the Commissioners of Common Schools, in Gallatin county, praying an appropriation for School District, No. 12, in said county.

4. Mr. Lashbrooke presented the petition of the President and Directors of the Sardis Turnpike Road, praying that certain persons may be taxed to keep said road in repair.

5. Mr. Leslie presented the petition of sundry citizens of Monroe county, in relation to the Secretary of State giving certified copies of petitions, &c., in his office.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; the 3d to the committee on Education; and the 4th to the committee on Internal Improvement.

The House again resumed the consideration of the bill to increase the jurisdiction of Justices of the Peace.

Mr. J. F. Todd moved to amend said bill by adding the following section, viz:

"That in all cases where the amount in controversy amounts to over fifty dollars, the Justices shall hold their Courts in the months of November and May."

And the question being taken on adopting the same, it was decided in the negative.

Mr. Wooldridge moved to amend said bill by adding the following, viz:

"That when a Justice shall render judgment on a note, he shall endorse across the face of the same, that he has rendered judgment thereon, which he shall date and sign.

"That hereafter, Constables shall receive no more commission for replevying and collecting executions above fifty dollars, than Sheriffs now receive."

And the question being taken on the adoption of the same, it was decided in the affirmative.

Mr. Lewis moved to amend said bill by adding the following, and being modified, reads as follows, viz:

"SEC. . That all judgments "*over* the sum of fifty dollars," so rendered by the Justices shall, upon application by the plaintiffs, be immediately certified to the Clerk of the Circuit Court for such county, who is thereupon authorized and required to issue execution upon the same, under the same regulations and restrictions as now prescribed for judgments originally rendered in the Circuit Court: *Provided*, that no record shall be taken to the Circuit Court, whilst an execution is in the hands of the Constable; and the Justice shall certify no record up to the Circuit Court, until the executions issued on the judgment are returned to his office, endorsed by the proper officer, "no property found to make the same:" *Provided further*, that all lands sold under such execution shall

be subject to redemption, as now provided by law, and subject to the same rules of valuation as are now required."

Mr. Field moved to amend said amendment by striking out the words "over the sum of fifty dollars."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Lewis, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Beeler, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	George H. Morrow,
James M. Alexander,	Alfred F. Graham,	Benjamin L. Owens,
James B. Allen,	William H. Grainger,	Thomas Y. Payne,
John B. Arnold,	William M. Gray,	Julian N. Phelps,
William Beeler,	Norvin Green,	Edward C. Purdy,
William S. Black,	William M. Green,	Thomas W. Riley,
William Bradley,	George M. Hampton,	Burwell C. Ritter,
Carlo B. Brittain,	Stilwell Heady,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
George P. Brown,	George W. Kavanaugh,	Joseph W. Rowlett,
John B. Bruner,	Samuel A. Kingman,	John L. Sallee,
George R. Burgess,	Daniel Landes,	John Shawhan,
Robert H. Campbell,	Preston H. Leslie,	George W. Silvertooth,
George T. Campbell,	Joseph H. Lewis,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	John F. Todd,
Winston J. Davie,	George W. Mansfield,	Thomas Todd,
Asbury Dawson,	William C. Marshall,	John Tompson,
Lucius Desha,	Daniel Matthewson,	Thomas W. Varnon,
Alvin Duvall,	Hiram McElroy,	William T. Ward,
Robert English,	John S. McFarland,	Elisha F. Wells,
Richard H. Field,	James P. Metcalfe,	Marcus L. Williams,
William H. Gardner,	Strother D. Mitchell,	James T. Woodward—68.
Samuel L. Geiger,	Morton P. Moore,	

Those who voted in the negative, were

William W. Alexander,	Bernard H. Garrett,	Peter Lashbrooke,
Robert A. Athey,	John G. Gooch,	Caleb W. Logan,
R. T. Baker,	Thomas S. Grundy,	Joel Murphy,
Wm. H. Calvert,	Samuel Hanson,	William B. Murphy,
Alexander P. Churchill,	Wm. Harris,	Joel Owsley,
John W. Cook,	P. B. Hawkins,	Jesse S. Taylor,
Joseph Dougherty,	Lysander Hord,	G. W. Williams, of H.
Edward F. Dulin,	Hiram Klette,	Edmund Wooldridge—25.
Edgar B. Gaither,		

Mr. McElroy moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill, as amended, be engrossed and read a third time?

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	John G. Gooch,	George H. Morrow,
James B. Allen,	Alfred F. Graham,	Benjamin L. Owens,
John B. Arnold,	Wm. H. Grainger,	Joel Owsley,
William Beeler,	William M. Gray,	Thomas Y. Payne,
William S. Black,	Norvin Green,	Julian N. Phelps,
William Bradley,	William M. Green,	Edward C. Purdy,
Carlo B. Brittain,	George M. Hampton,	Thomas W. Riley,
John B. Bruner,	Samuel Hanson,	Burwell C. Ritter,
George R. Burgess,	Wm. Harris,	C. C. Rogers,
William H. Calvert,	P. B. Hawkins,	John L. Sallee,
George T. Campbell,	Stilwell Heady,	John Shawhan,
Alexander P. Churchill,	Lysander Hord,	George W. Silvertooth,
Henry R. D. Coleman,	Samuel B. Jesup,	Basil G. Smith,
John W. Cook,	George W. Kavanaugh,	Albert G. Talbott,
Winston J. Davie,	Daniel Landes,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	John F. Todd,
Lucius Desha,	Preston H. Leslie,	John Tompson,
Robert English,	George W. Mansfield,	Thomas W. Varnon,
Richard H. Field,	Daniel Matthewson,	William T. Ward,
Edgar B. Gaither,	Hiram McElroy,	Elisha F. Wells,
William H. Gardner,	John S. McFarland,	G. W. Williams, of H.
Bernard H. Garrett,	James P. Metcalfe,	Marcus L. Williams,
Samuel L. Geiger,	Strother D. Mitchell,	James T. Woodward—71.
Cyrenius W. Gilmore,	Morton P. Moore,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	Wm. C. Marshall,
Wm. W. Alexander,	Alvin Duvall,	Joel Murphy,
Robert A. Athey,	Thomas S. Grundy,	William B. Murphy,
R. T. Baker,	Samuel A. Kingman,	John Rodman,
George I. Brown,	Hiram Klette,	Joseph W. Rowlett,
George P. Brown,	Joseph H. Lewis,	Thomas Todd,
Robert H. Campbell,	Andrew S. Linn,	Edmund Wooldridge—23.
Joseph Dougherty,	Caleb W. Logan,	

Mr. Hanson moved that said bill have its third reading at half after 10 o'clock, A. M., on to-morrow.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
John B. Bruner,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward—66.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Samuel L. Geiger,
William M. Green,
Thomas S. Grundy,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Andrew S. Linn,
Wm. C. Marshall,
Wm. B. Murphy,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
Thomas Todd,
William T. Ward,
Edmund Wooldridge—27.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act repealing an act establishing a Police Court in the town of Hardinsburg.

An act to incorporate the town of Clementsburg, in Crittenden county.

An act to legalize an order of the Hickman County Court, appointing an agent to sell Seminary lands.

An act for the benefit of V. T. Smith.

An act for the benefit of Robert Kinkead.

An act to incorporate Harvey McGuire Lodge, No. 209, of Free and Accepted Masons.

An act to amend an act, entitled, an act to incorporate the several Masonic Institutions of the city of Louisville.

An act to authorize taxation to build a school house in district No. 25, in Lewis county.

An act to incorporate the Marine Insurance Company, at Paducah.

An act to authorize the County Court to change the names of persons.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of Joseph A. Vance.

An act for the benefit of William C. Halbert, Sheriff of Lewis county.

An act to change the boundary lines of the town of Harrodsburg.

An act for the benefit of David A. Knox.

An act for the benefit of John B. Whalen, of Marion county.

An act for the benefit of Philip F. Jones.

An act for the benefit of the heirs of Joseph Burnett, deceased.

Mr. Duvall moved a reconsideration of the vote discharging the committee on Claims from the further consideration of the message of the Governor, in relation to the Military Monument.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said committee be discharged from the further consideration of said message, and that it be referred to the committee on Ways and Means.

The Speaker laid before the House the response of Jacob Swigert, the Clerk of the Court of Appeals, to a resolution of this House, which is as follows, viz:

OFFICE OF THE CLERK OF THE COURT OF APPEALS,
FRANKFORT, January 21, 1851.

To the General Assembly of the Commonwealth of Kentucky:

In response to a joint resolution of your body, requesting "the clerk to furnish a full and complete report of the gross amount of his fees, per annum, for the last five years, and also the net amount of said fees for the same time, after deducting the amount paid to his assistants," &c., I reply;

It would take more time to calculate the amount for each of the five years specified in the resolution, than I could now devote to it, and have, therefore, concluded to make the calculation for an average year, which I suppose will answer the purpose for which the information is desired.

The number of cases in the year 1846, was,	736
The number of cases in the year 1847, was,	796
The number of cases in the year 1848, was,	745
The number of cases in the year 1849, was,	642
The number of cases in the year 1850, was,	700

I selected the year 1846 as a basis for the calculation—being a little over an average year. The gross amount of fees charged for that year was $11,370 34.

I have never before calculated the amount of fees charged in any year, nor kept any account of losses; but I am satisfied that at least one-third of the nominal amount is not collectable. The fees which make up the remainder are, with few exceptions, sold to officers, parties, or such other persons as choose to purchase, at a discount of from twenty to fifty per cent.,—the discount being generally governed by the amount of the bills, the residence of the debtor, and the difficulties in collecting them.

The account for the year selected will stand thus:

Gross amount of fees, - - - - - - - - -	$11,370
One-third deducted, (not collectable,) - - - - - - -	3,790
	7,580
Deduct an average discount of about 25 per cent., for deductions, commissions, or expenses in collecting, - - - - -	1,895
	5,685
Deduct for clerk hire, stationery, &c., - - - - - - -	2,300
	$3,385

This statement contains what I consider a fair average of the net proceeds of the office, and I believe it exceeds the amount actually realized.

Respectfully, J. SWIGERT, C. C. A.

Ordered, That said response be referred to the committee on the Court of Appeals, and that the Public Printer forthwith print 150 copies of the same, for the use of the members of the General Assembly.

A message was received from the Governor by Mr. Finnell, Secretary of State, communicating the condition of the ordinary revenue, school, and sinking funds, &c.

[*For the Message—see Legislative Documents.*]

On motion of Mr. Williams, of Bourbon,

Ordered, That that part of said message, which relates to the Common School Fund, be referred to the committee on Education, and the remainder of the message be referred to the committee on Ways and Means; and that the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

The House again resumed the consideration of the bill concerning Free Negroes and Mulattoes.

Mr. Varnon moved to amend said bill by adding to the second section the following proviso, viz:

Provided, that not more than one certificate of freedom shall be issued to the same person, until the former is returned and destroyed by the Clerk.

And amending the sixth section by striking out the following, viz:

"Forfeit his or her freedom, and upon presentment by the grand jury,

shall be placed upon their trial by a jury of the country, and being convicted thereof, shall be sold, under the direction of the Court, at the next County Court day thereafter, by the Sheriff, at the Court house door of his county, to the highest bidder, into perpetual bondage; and the Sheriff shall account for and pay over into the treasury of the State, the proceeds of such sale; and the same, when paid into the treasury, shall forever be a part of the fund set apart as aforesaid, in aid of the transportation of such free negroes and mulattoes, as may hereafter emigrate to Liberia from this State, as aforesaid."

And inserting in lieu thereof the following, viz:

"Be deemed guilty of felony, and shall, upon indictment by a grand jury, and upon conviction thereof by a jury of the country, be sentenced by the Court before whom the trial shall be had, to undergo confinement at hard labor in the Jail and Penitentiary house of this Commonwealth, for a period of not less than three, nor more than eight years."

And to strike out the 7th, 8th, and 9th sections of said bill.

Mr. Preston moved to commit said bill and amendment to the committee on Revised Statutes.

Mr. Grainger moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill and amendments be committed to the committee on Revised Statutes.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garrett and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	John S. McFarland,
R. T. Baker,	Samuel L. Geiger,	James P. Metcalfe,
Wm. Beeler,	Cyrenius W. Gilmore,	Strother D. Mitchell,
John B. Bruner,	John G. Gooch,	Morton P. Moore,
George R. Burgess,	Wm. H. Grainger,	George H. Morrow,
Wm. H. Calvert,	Wm. M. Green,	William B. Murphy,
Robert H. Campbell,	Samuel Hanson,	William Preston,
Lucius Desha,	P. B. Hawkins,	Edward C. Purdy,
Joseph Dougherty,	Randall G. Hays,	John Rodman,
Edward F. Dulin,	Hiram Klette,	G. W. Williams, of H.
Alvin Duvall,	Preston H. Leslie,	Marcus L. Williams,
Robert English,	Joseph H. Lewis,	James T. Woodward—38.
Richard H. Field,	Caleb W. Logan,	

Those who voted in the negative, were

James M. Alexander,	Norvin Green,	Julian N. Phelps,
William W. Alexander,	Thomas S. Grundy,	Thomas W. Riley,
James B. Allen,	George M. Hampton,	Burwell C. Ritter,
Robert A. Athey,	Wm. Harris.	C. C. Rogers,
Wm. S. Black,	Stilwell Heady,	Joseph W. Rowlett,

William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Edgar B. Gaither,
Bernard H. Garrett,
Alfred F. Graham,
Wm. M. Gray,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B—53.

Mr. T. Todd moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

Mr. A. G. Talbott asked for a division of the question.

The question was first taken, shall the first amendment, proposed by Mr. Varnon, be adopted? and it was decided in the affirmative.

The question was then taken on the adoption of the second amendment proposed by Mr. Varnon, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Garrett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
James B. Allen,
R. T. Baker,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
Wm. M. Gray,
William M. Green,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
William Preston,
Edward C. Purdy,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H—55.

Those who voted in the negative, were

James M. Alexander,
Robert A. Athey,
William Beeler,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
William Harris,
Randall G. Hays,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,

Henry R. D. Coleman,	Peter Lashbrooke,	Jesse S. Taylor,
Edward F. Dulin,	Daniel Matthewson,	Thomas Todd,
William H. Gardner,	Hiram McElroy,	Elisha F. Wells,
Bernard H. Garrett,	William B. Murphy,	G. W. Williams, of B,
Norvin Green,	Thomas Y. Payne,	Marcus L. Williams,
Thomas S. Grundy,	Julian N. Phelps,	James T. Woodward—36.

Mr. A. G. Talbott then asked for a division of the question on the third amendment proposed by Mr. Varnon.

The Speaker decided the motion out of order; from which decision of the Chair, Mr. Desha took an appeal.

On motion of Mr. Logan,

Ordered, That said appeal be laid on the table.

The question was then taken on the adoption of the third amendment proposed by Mr. Varnon, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rogers and A. H. Talbott, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Richard H. Field,	James P. Metcalfe,
James B. Allen,	Cyrenius W. Gilmore,	Strother D. Mitchell,
R. T. Baker,	Alfred F. Graham,	George H. Morrow,
William Beeler,	William H. Grainger,	Joel Murphy,
Carlo B. Brittain,	William M. Gray,	William B. Murphy,
George I. Brown,	William M. Green,	William Preston,
George P. Brown,	P. B. Hawkins,	Edward C. Purdy,
John B. Bruner,	Lysander Hord,	Thomas W. Riley,
John W. Cook,	Samuel A. Kingman,	John Rodman,
Asbury Dawson,	Hiram Klette,	Thomas W. Varnon,
Lucius Desha,	Preston H. Leslie,	William T. Ward,
Joseph Dougherty,	Andrew S. Linn,	G. W. Williams, of H.
Edward F. Dulin,	Caleb W. Logan,	Marcus L. Williams,
Alvin Duvall,	John S. McFarland,	James T. Woodward—43.
Robert English,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Joel Owsley,
William W. Alexander,	Thomas S. Grundy,	Thomas Y. Payne,
Robert A. Athey,	George M. Hampton,	Julian N. Phelps,
William S. Black,	Samuel Hanson,	Burwell C. Ritter,
William Bradley,	William Harris,	C. C. Rogers,
George R. Burgess,	Randall G. Hays,	Joseph W. Rowlett,
Wm. H. Calvert,	Stilwell Heady,	John L. Sallee,
Robert H. Campbell,	Samuel B. Jesup,	John Shawhan,
Alexander P. Churchill,	George W. Kavanaugh,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	Albert G. Talbott,
Winston J. Davie,	Peter Lashbrooke,	Ambrose H. Talbott,
Edgar B. Gaither,	Joseph H. Lewis,	Jesse S. Taylor,
Wm. H. Gardner,	Daniel Matthewson,	Thomas Todd,
Bernard H. Garrett,	Hiram McElroy,	John Tompson,
Samuel L. Geiger,	Morton P. Moore,	Elisha F. Wells,
John G. Gooch,	Benjamin L. Owens,	G. W. Williams, of B—48.

The question was then taken on engrossing and reading said bill a third time and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Ward, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	William B. Murphy,
James M. Alexander,	Samuel L. Geiger,	Benjamin L. Owens,
William W. Alexander,	William H. Grainger,	Joel Owsley,
James B. Allen,	Norvin Green,	Thomas Y. Payne,
Robert A. Athey,	Thomas S. Grundy,	Julian N. Phelps,
William Beeler,	George M. Hampton,	Burwell C. Ritter,
William S. Black,	Samuel Hanson,	C. C. Rogers,
William Bradley,	William Harris,	Joseph W. Rowlett,
George P. Brown,	Randall G. Hays,	John L. Sallee,
John B. Bruner,	Stilwell Heady,	John Shawhan,
George R. Burgess,	Lysander Hord,	George W. Silvertooth,
Alexander P. Churchill,	Samuel B. Jesup,	Albert G. Talbott,
Henry R. D. Coleman,	George W. Kavanaugh,	Ambrose H. Talbott,
John W. Cook,	Daniel Landes,	Jesse S. Taylor,
Winston J. Davie,	Peter Lashbrooke,	Thomas Todd.
Asbury Dawson,	Joseph H. Lewis,	John Tompson,
Lucius Desha,	Daniel Matthewson,	Thomas W. Varnon,
Joseph Dougherty,	Hiram McElroy,	Elisha F. Wells,
Richard H. Field,	George H. Morrow,	G. W. Williams, of B—58.
Edgar B. Gaither,		

Those who voted in the negative, were

R. T. Baker,	Alfred F. Graham,	Strother D. Mitchell,
Carlo B. Brittain,	William M. Gray,	Morton P. Moore,
George I. Brown,	William M. Green,	Joel Murphy,
William H. Calvert,	P. B. Hawkins,	William Preston,
Robert H. Campbell,	Samuel A. Kingman,	Edward C. Purdy,
Edward F. Dulin,	Hiram Klette,	Thomas W. Riley,
Alvin Duvall,	Preston H. Leslie,	John Rodman,
Robert English,	Andrew S. Linn,	William T. Ward,
William H. Gardner,	Caleb W. Logan,	G. W. Williams, of H.
Cyrenius W. Gilmore,	John S. McFarland,	Marcus L. Williams,
John G. Gooch,	James P. Metcalfe,	James T. Woodward—33.

On motion of Mr. Rogers,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

And then the House adjourned.

WEDNESDAY, JANUARY 22, 1851.

1. Mr. Landes presented the petition of A. H. Poston, praying an appropriation for bringing from Tennessee, a fugitive from justice, under a requisition of the Governor of Kentucky.

2. Mr. Gaither presented the petition of Hial Stephens, and others, of Adair county, praying that said Stephens may be compensated for expenses incurred in apprehending Samuel M. Asbury.

3. Mr. Lashbrooke presented the petition of sundry citizens of East Maysville, praying that certain officers in said town may be elected by the citizens.

4. Mr. Morrow presented the petition of sundry citizens of Paducah, praying an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Claims; the 3d to the committee on the Judiciary, and the 4th to the committee on Privileges and Elections.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to incorporate the Mount Zion Cumberland Presbyterian Church, in Henderson county.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to incorporate certain Turnpike Road Companies in Montgomery county, and for other purposes, approved March 5, 1850.

An act for the benefit of the Sheriff of Knox county.

An act for the benefit of the Sheriff of Rockcastle county.

An act for the benefit of the Sheriff of Kenton county.

An act in relation to Magistrates' and Constables' Districts, in Henry and Laurel counties.

An act to divide the State into four districts for the election of Judges of the Court of Appeals.

Mr. Riley, from the committee on Revised Statutes, reported a bill revising the Statutes, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Monday, the 27th instant.

Mr. Riley, from the same committee, to whom was referred a bill to amend an act giving to officers, crews, mechanics, and others, a lien on

steamboats, approved January 28, 1839, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, and it was decided in the negative; and so the said bill was rejected.

Mr. Garrett moved the following resolution, viz:

Resolved, That the Second Auditor is hereby directed to lay before this House the amount of money appropriated for the purchase of books by this State, and such other information in his possession in relation to the Public Library, at as early a day as possible.

Which was adopted.

Mr. Wooldridge, from the select committee, reported a bill better to define and punish penal offences, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Tuesday, the 28th instant.

Mr. Gaither moved that the further consideration of the engrossed bill, entitled, an act concerning Free Negroes and Mulattoes, be postponed until Friday next, at 10 o'colck, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Hays, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	James P. Metcalfe,
James B. Allen,	Wm. H. Grainger,	Strother D. Mitchell,
John B. Arnold,	Wm. M. Green,	Joel Murphy,
Robert A. Athey,	Thomas S. Grundy,	Benjamin L. Owens,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
Wm. Beeler,	P. B. Hawkins,	Wm. Preston,
Carlo B. Brittain,	Randall G. Hays,	Edward C. Purdy,
George P. Brown,	Lysander Hord,	Thomas W. Riley,
John B. Bruner,	Samuel B. Jesup,	Burwell C. Ritter,
Robert H. Campbell,	George W. Kavanaugh,	John Rodman,
Asbury Dawson,	Samuel A. Kingman,	Basil G. Smith,
Edward F. Dulin,	Hiram Klette,	Albert G. Talbott,
Alvin Duvall,	Preston H. Leslie,	William T. Terrill,
Robert English,	Joseph H. Lewis,	John F. Todd,
Edgar B. Gaither,	Andrew S. Linn,	George W. Williams, of B.
Wm. H. Gardner,	Caleb W. Logan,	George W. Williams, of H.
Bernard H. Garrett,	George W. Mansfield,	Marcus L. Williams,
Samuel L. Geiger,	Hiram McElroy,	James T. Woodward,
Cyrenius W. Gilmore,	John S. McFarland,	Edmund Wooldridge—57.

Those who voted in the negative, were

James M. Alexander,
Wm. S. Black,
Wm. Bradley,
George I. Brown,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Alfred F. Graham,
William M. Gray,
Norvin Green,
George M. Hampton,
William Harris,
Stilwell Heady,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
George H. Morrow,
William B. Murphy,
Joel Owsley,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells—38.

An engrossed bill, entitled, an act increasing the jurisdiction of Justices of the Peace, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill regulating allowances to Masters, Auditors, and Commissioners in Chancery, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The House then took up the motion made by Mr. Kavanaugh, on the 18th of December last, to reconsider the vote rejecting the bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Georgetown, approved February 23, 1837.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Education.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of Joseph A. Vance.
2. An act for the benefit of William C. Halbert, Sheriff of Lewis county.
3. An act to change the boundary lines of the town of Harrodsburg.
4. An act for the benefit of David A. Knox.
5. An act for the benefit of John B. Whalen, of Marion county.
6. An act for the benefit of Philip F. Jones.
7. An act for the benefit of the heirs of Joseph Burnett, deceased.
8. An act to amend an act, entitled, an act to incorporate certain

Turnpike Road Companies in Montgomery county, and for other purposes, approved March 5, 1850.

9. An act for the benefit of the Sheriff of Knox county.

10. An act for the benefit of the Sheriff of Rockcastle county.

11. An act for the benefit of the Sheriff of Kenton county.

12. An act in relation to Magistrates' and Constables' Districts, in Henry and Laurel counties.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 4th, and 6th were referred to the committee on Claims; the 2d, 9th, 10th, and 11th, to the committee on Ways and Means; the 3d and 5th to the committee on the Judiciary; the 7th to the committee on Education; the 8th to the committee on Internal Improvement; and the 12th was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then resolved itself into a committee of the whole on the bill to establish twelve Judicial Circuit Districts, and the amendments proposed thereto, and the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts, Mr. Bruner in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bills and amendments aforesaid, and had instructed him to report the bill to establish twelve Judicial Circuit Districts to the House, without amendment, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Judicial Districts for Circuit Courts in this Commonwealth shall be composed of the counties as follows, viz:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Livingston, and Crittenden.

Second District—Caldwell, Trigg, Union, Christian, Hopkins, Henderson, and Daviess.

Third District—Todd, Logan, Muhlenburg, Butler, Warren, Simpson, Allen, and Edmonson.

Fourth District—Hancock, Ohio, Breckinridge, Meade, Grayson, Hart, Hardin, Larue, and Nelson.

Fifth District—Barren, Monroe, Cumberland, Clinton, Green, Adair, Casey, Russell, Wayne, and Taylor.

Sixth District—Jefferson, Shelby, Bullitt, Spencer, and Anderson.

Seventh District—Madison, Estill, Garrard, Mercer, Lincoln, Boyle, Washington, and Marion.

Eighth District—Fayette, Clarke, Bourbon, Scott, Woodford, Jessamine, and Franklin.

Ninth District—Kenton, Boone, Grant, Carroll, Owen, Trimble, Henry, Oldham, and Gallatin.

Tenth District—Mason, Bracken, Lewis, Greenup, Pendleton, Campbell, Nicholas, and Harrison.

Eleventh District—Pulaski, Knox, Rockcastle, Harlan, Laurel, Whitley, Clay, Perry, Owsley, and Letcher.

Twelfth District—Montgomery, Fleming, Bath, Carter, Lawrence, Morgan, Johnson, Pike, Floyd, and Breathitt.

Mr. W. M. Green moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

First District—Fulton, Hickman, McCracken, Graves, Calloway, Marshall, Livingston, Crittenden, and Ballard.

Second District—Caldwell, Trigg, Christian, Todd, Hopkins, Union, and Henderson.

Third District—Daviess, Hancock, Ohio, Grayson, Breckinridge, Meade, Hardin, Muhlenburg, and Larue.

Fourth District—Butler, Logan, Simpson, Allen, Monroe, Barren, Hart, Edmonson, and Warren.

Fifth District—Cumberland, Clinton, Wayne, Pulaski, Casey, Lincoln, Taylor, Green, Adair, and Russell.

Sixth District—Bullitt, Jefferson, Spencer, and Shelby.

Seventh District—Nelson, Washington, Marion, Mercer, Boyle, Garrard, and Anderson.

Eighth District—Oldham, Henry, Trimble, Carroll, Owen, Gallatin, Boone, Grant, and Kenton.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas, Harrison, Bourbon, and Scott.

Tenth District—Bath, Fleming, Lewis, Greenup, Carter, Lawrence, Montgomery, and Morgan.

Eleventh District—Franklin, Woodford, Jessamine, Fayette, Madison, Estill, and Clarke.

Twelfth District—Rockcastle, Knox, Harlan, Laurel, Whitley, Clay, Perry, Owsley, Letcher, Breathitt, Floyd, Pike, and Johnson.

Mr. Payne moved the following as a substitute for the amendment of Mr. Green, viz:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Livingston, and Crittenden.

Second District—Caldwell, Trigg, Union, Christian, Hopkins, Henderson, and Muhlenburg.

Third District—Todd, Logan, Butler, Warren, Simpson, Allen, Edmonson, and Hart.

Fourth District—Hancock, Ohio, Breckinridge, Meade, Grayson, Hardin, Larue, Nelson, and Daviess.

Fifth District—Barren, Monroe, Cumberland, Clinton, Green, Adair, Casey, Russell, Wayne, and Taylor.

Sixth District—Jefferson, Shelby, Bullitt, and Spencer.

Seventh District—Madison, Estill, Garrard, Mercer, Lincoln, Boyle, Washington, Marion, and Anderson.

Eighth District—Fayette, Clarke, Bourbon, Scott, Woodford, Jessamine, and Franklin.

Ninth District—Kenton, Boone, Grant, Carroll, Owen, Trimble, Henry, Oldham, and Gallatin.

Tenth District—Mason, Bracken, Lewis, Greenup, Pendleton, Campbell, Nicholas, and Harrison.

Eleventh District—Pulaski, Knox, Rockcastle, Harlan, Laurel, Whitley, Clay, Perry, Owsley, and Letcher.

Twelfth District—Montgomery, Fleming, Bath, Carter, Lawrence, Morgan, Johnson, Pike, Floyd, and Breathitt.

Mr. W. W. Alexander moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and McFarland, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	William M. Green,	Thomas Y. Payne,
John B. Arnold,	George M. Hampton,	Julian N. Phelps,
Robert A. Athey,	Samuel Hanson,	William Preston,
R. T. Baker,	Wm. Harris,	Burwell C. Ritter,
William S. Black,	P. B. Hawkins,	John Rodman,
Carlo B. Brittain,	Randall G. Hays,	C. C. Rogers,
George I. Brown,	Stilwell Heady,	John L. Sallee,
George P. Brown,	Samuel B. Jesup,	Ambrose H. Talbott,
George T. Campbell,	Hiram Klette,	Jesse S. Taylor,
Henry R. D. Coleman,	Daniel Landes,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John F. Todd,
Robert English,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	William C. Marshall,	William T. Ward,
Edgar B. Gaither,	Morton P. Moore,	G. W. Williams, of B.
William H. Gardner,	William B. Murphy,	Marcus L. Williams,
John G. Gooch,	Benjamin L. Owens,	James T. Woodward—50.
William H. Grainger,	Joel Owsley,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	James P. Metcalfe,
James M. Alexander,	Samuel L. Geiger,	Strother D. Mitchell,
James B. Allen,	Cyrenius W. Gilmore,	George H. Morrow,
William Beeler,	Alfred F. Graham,	Joel Murphy,
William Bradley,	William M. Gray,	Edward C. Purdy,
John B. Bruner,	Thomas S. Grundy,	Thomas W. Riley,
George R. Burgess,	Lysander Hord,	Joseph W. Rowlett,
Wm. H. Calvert,	George W. Kavanaugh,	John Shawhan,
Robert H. Campbell,	Samuel A. Kingman,	George W. Silvertooth,
Alexander P. Churchill,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Joseph H. Lewis,	Albert G. Talbott,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	John Tompson,
Lucius Desha,	Daniel Matthewson,	Elisha F. Wells,
Joseph Dougherty,	Hiram McElroy,	G. W. Williams, of H.
Edward F. Dulin,	John S. McFarland,	Edmund Wooldridge—48.

The question was then taken on the adoption of the amendment proposed by Mr. Payne, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McFarland and Arnold, were as follows, viz:

Those who voted in the affirmative, were

Wm. W. Alexander,	Norvin Green,	Thomas Y. Payne,
John B. Arnold,	George M. Hampton,	Wm. Preston,
Robert A. Athey,	Samuel Hanson,	Burwell C. Ritter,
R. T. Baker,	William Harris,	John Rodman,
William S. Black,	P. B. Hawkins,	C. C. Rogers,
Carlo B. Brittain,	Randall G. Hays,	Joseph W. Rowlett,
George I. Brown,	Stilwell Heady,	Albert G. Talbott,
George P. Brown,	Samuel B. Jesup,	Ambrose H. Talbott,
William H. Calvert,	Peter Lashbrooke,	Jesse S. Taylor,
George T. Campbell,	Caleb W. Logan,	William T. Terrill,
Winston J. Davie,	William C. Marshall,	John F. Todd,
Asbury Dawson,	Hiram McElroy,	John Tompson,
Alvin Duvall,	Morton P. Moore,	Thomas W. Varnon,
Robert English,	Wm. B. Murphy,	G. W. Williams, of B.
Richard H. Field,	Benjamin L. Owens,	Marcus L. Williams,
William H. Grainger,	Joel Owsley,	James T. Woodward—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	John S. McFarland,
James M. Alexander,	Cyrenius W. Gilmore,	James P. Metcalfe,
James B. Allen,	John G. Gooch,	Strother D. Mitchell,
William Beeler,	Alfred F. Graham,	George H. Morrow,
William Bradley,	William M. Gray,	Joel Murphy,
John B. Bruner,	William M. Green,	Julian N. Phelps,
George R. Burgess,	Thomas S. Grundy,	Edward C. Purdy,
Robert H. Campbell,	Lysander Hord,	Thomas W. Riley,
Alexander P. Churchill,	George W. Kavanaugh,	John L. Sallee,
Henry R. D. Coleman,	Samuel A. Kingman,	John Shawhan,
John W. Cook,	Hiram Klette,	George W. Silvertooth,
Lucius Desha,	Daniel Landes,	Basil G. Smith,
Joseph Dougherty,	Preston H. Leslie,	Thomas Todd,
Edward F. Dulin,	Joseph H. Lewis,	William T. Ward,
Edgar B. Gaither,	Andrew S. Linn,	Elisha F. Wells,
William H. Gardner,	George W. Mansfield,	G. W. Williams, of H—50.
Bernard H. Garrett,	Daniel Matthewson,	

The question was then taken on the adoption of the amendment proposed by Mr. Green, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. P. Brown and McFarland, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	John G. Gooch,	George H. Morrow,
William W. Alexander,	Alfred F. Graham,	Joel Murphy,
James B. Allen,	William H. Grainger,	Benjamin L. Owens,
William Bradley,	William M. Gray,	Julian N. Phelps,
John B. Bruner,	William M. Green,	William Preston,
George R. Burgess,	Thomas S. Grundy,	Edward C. Purdy,
William H. Calvert,	Lysander Hord,	Thomas W. Riley,

Robert H. Campbell,	George W. Kavanaugh,	John Rodman,
Alexander P. Churchill,	Samuel A. Kingman,	Joseph W. Rowlett,
Henry R. D. Coleman,	Hiram Klette,	John L. Sallee,
John W. Cook,	Daniel Landes,	John Shawhan,
Winston J. Davie,	Preston H. Leslie,	George W. Silvertooth,
Lucius Desha,	Joseph H. Lewis,	Basil G. Smith,
Joseph Dougherty,	Andrew S. Linn,	Ambrose H. Talbott,
Edward F. Dulin,	Caleb W. Logan,	Thomas Todd,
Edgar B. Gaither,	George W. Mansfield,	William T. Ward,
Wm. H. Gardner,	Daniel Matthewson,	Elisha F. Wells,
Bernard H. Garrett,	John S. McFarland,	George W. Williams, of B.
Samuel L. Geiger,	James P. Metcalfe,	George W. Williams, of H.
Cyrenius W. Gilmore,	Strother D. Mitchell,	Edmund Wooldridge—60.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Richard H. Field,	Wm. B. Murphy,
John B. Arnold,	Norvin Green,	Joel Owsley,
Robert A. Athey,	George M. Hampton,	Thomas Y. Payne,
R. T. Baker,	Samuel Hanson,	Burwell C. Ritter,
Wm. Beeler,	William Harris,	C. C. Rogers,
William S. Black,	P. B. Hawkins,	Albert G. Talbott,
Carlo B. Brittain,	Randall G. Hays,	Jesse S. Taylor,
George I. Brown,	Stilwell Heady,	William T. Terrill,
George P. Brown,	Samuel B. Jesup,	John F. Todd,
George T. Campbell,	Peter Lashbrooke,	John Tompson,
Asbury Dawson,	Wm. C. Marshall,	Thomas W. Varnon,
Alvin Duvall,	Hiram McElroy,	Marcus L. Williams,
Robert English,	Morton P. Moore,	James T. Woodward—39.

The question was then taken on engrossing and reading said bill a third time, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and McFarland, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	William M. Gray,	Benjamin L. Owens,
Wm. W. Alexander,	Norvin Green,	Joel Owsley,
James B. Allen,	William M. Green,	Julian N. Phelps,
R. T. Baker,	Thomas S. Grundy,	William Preston,
John B. Bruner,	P. B. Hawkins,	Edward C. Purdy,
George R. Burgess,	Randall G. Hays,	Thomas W. Riley,
Robert H. Campbell,	Stilwell Heady,	Burwell C. Ritter,
George T. Campbell,	George W. Kavanaugh,	John Rodman,
Alexander P. Churchill,	Samuel A. Kingman,	C. C. Rogers,
Henry R. D. Coleman,	Hiram Klette,	John L. Sallee,
John W. Cook,	Preston H. Leslie,	John Shawhan,
Asbury Dawson,	Joseph H. Lewis,	George W. Silvertooth,
Joseph Dougherty,	Andrew S. Linn,	Basil G. Smith,
Edward F. Dulin,	Caleb W. Logan,	Ambrose H. Talbott,
Robert English,	George W. Mansfield,	Jesse S. Taylor,
Richard H. Field,	Wm. C. Marshall,	John Tompson,
Edgar B. Gaither,	Daniel Matthewson,	William T. Ward,
William H. Gardner,	John S. McFarland,	Elisha F. Wells,

Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
James P. Metcalfe,
Morton P. Moore,
William B. Murphy,
George W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—64.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
John B. Arnold,
Robert A. Athey,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
William H. Calvert,
Winston J. Davie,
Lucius Desha,
Alvin Duvall,
Bernard H. Garrett,
Cyrenius W. Gilmore,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Hiram McElroy,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Thomas Y. Payne,
Joseph W. Rowlett,
Albert G. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
Marcus L. Williams,
James T. Woodward—35.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Varnon and Garrett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. S. Black,
Carlo B. Brittain,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris.
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—67.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	George H. Morrow,
James B. Allen,	Samuel Hanson,	Thomas Y. Payne,
John B. Arnold,	Lysander Hord,	Burwell C. Ritter,
Wm. Beeler,	Samuel B. Jesup,	John Shawhan,
William Bradley,	Daniel Landes,	Albert G. Talbott,
George I. Brown,	Preston H. Leslie,	John F. Todd,
George P. Brown,	Hiram McElroy,	Thomas Todd,
Wm. H. Calvert,	James P. Metcalfe,	Thomas W. Varnon,
Robert H. Campbell,	Strother D. Mitchell,	Marcus L. Williams,
Winston J. Davie,	Morton P. Moore,	James T. Woodward—31.
Lucius Desha,		

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY, JANUARY 23, 1851.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to regulate the estates of persons of unsound mind.

An act for the benefit of the Estill Seminary.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to Big Sandy river.

That they had passed bills and a preamble and resolution of the following titles, viz:

An act to amend the charter of the town of Hardinsburg.

An act to amend the charter of the Bank Lick Turnpike Road Company.

Preamble and resolution in relation to the navigation of the Ohio river.

1. Mr. G. P. Brown presented the petition of Lemuel Hibbard, praying indulgence until the first of May next, to pay into the Treasury the revenue of Laurel county.

2. Also, the petition of sundry citizens of Laurel county, praying that a law may pass to prevent the hunters from the interior counties from bringing their dogs, &c., into their county, to harrass their sheep and hogs.

Mr. Harris presented the petition of School Commissioners of the Kirksville district, in Madison county, praying that they may receive their portion of the school fund for the years 1849 and 1850.

4. Mr. Riley presented the petition of sundry citizens of Nelson county, praying that those who retail spirituous liquors, may be held responsible for the injurious results of such sale.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to the committee on the Judiciary; the 3d to the committee on Education, and the 4th to the coumittee on Religion.

Leave was given to bring in the following bills, viz:

On motion of Mr. Owens—1. A bill for the benefit of the County Court Clerk of Taylor county.

On motion of Mr. Rogers—2. A bill to incorporate the Lexington Savings Institute.

Ordered, That Messrs. Owens, Davie, and Hord, prepare and bring in the 1st, and the committee on Banks the 2d.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled an act to equalize the compensation for the collection of the revenue tax, reported the same with amendments.

The first and second amendments were then concurred in.

The second section of said bill reads as follows, viz:

That the Sheriffs of the several counties of this Commonwealth shall receive, for collecting the revenue, the following commissions, to-wit: on every dollar collected, until the revenue reaches one thousand dollars, ten cents; on every dollar after the first one thousand dollars, and until the revenue reaches two thousand dollars, six cents; on every dollar after two thousand dollars, and until the revenue reaches three thousand dollars, five cents; on every dollar after three thousand dollars, *and until the revenue reaches four thousand dollars*, four cents; *and on every dollar above four thousand dollars, three cents.*

The third amendment proposed by the committee is to strike out of the 2d section all that part printed in *italics*.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	John S. McFarland,
William W. Alexander,	Alfred F. Graham,	Strother D. Mitchell,
Robert A. Athey,	William H. Grainger,	William B. Murphy,
R. T. Baker,	Lysander Hord,	William Preston,
William S. Black,	Hiram Klette,	Edward C. Purdy,

George I. Brown, Preston H. Leslie, Thomas W. Riley,
George R. Burgess, Joseph H. Lewis, Burwell C. Ritter,
Robert H. Campbell, Andrew S. Linn, Thomas Todd,
George T. Campbell, William C. Marshall, Edmund Wooldridge—28.
Alexander P. Churchill,

Those who voted in the negative, were

James M. Alexander, Bernard H. Garrett, Joel Murphy,
James B. Allen, Cyrenius W. Gilmore, Benjamin L. Owens,
John B. Arnold, John G. Gooch, Joel Owsley,
William Beeler, Wm. M. Gray, Julian N. Phelps,
Wm. Bradley, Norvin Green, C. C. Rogers,
Carlo B. Brittain, William M. Green, Joseph W. Rowlett,
George P. Brown, Thomas S. Grundy, John L. Sallee,
John B. Bruner, George M. Hampton, John Shawhan,
William H. Calvert, Samuel Hanson, George W. Silvertooth,
Henry R. D. Coleman, William Harris, Basil G. Smith,
John W. Cook, P. B. Hawkins, Ambrose H. Talbott,
Winston J. Davie, Stilwell Heady, Jesse S. Taylor,
Asbury Dawson, Samuel B. Jesup, Wm. T. Terrill,
Lucius Desha, Daniel Landes, John F. Todd,
Joseph Dougherty, Peter Lashbrooke, John Tompson,
Edward F. Dulin, George W. Mansfield, Thomas W. Varnon,
Alvin Duvall, Daniel Matthewson, William T. Ward,
Robert English, Hiram McElroy, Elisha F. Wells,
Richard H. Field, James P. Metcalfe, G. W. Williams, of H.
Edgar B. Gaither, Morton P. Moore, Marcus L. Williams,
William H. Gardner, George H. Morrow, James T. Woodward—63.

Mr. Grainger moved to amend said section by striking out after the word "dollars," the word "four," and insert "five."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) George R. Burgess, William B. Murphy,
William W. Alexander, Robert H. Campbell, Thomas Y. Payne,
Robert A. Athey, Alexander P. Churchill, William Preston,
R. T. Baker, William H. Grainger, Thomas W. Riley,
William Beeler, Joseph H. Lewis, Burwell C. Ritter,
George I. Brown, William C. Marshall, Thomas Todd—18.

Those who voted in the negative, were

James B. Allen, Norvin Green, Joel Murphy,
John B. Arnold, William M. Green, Benjamin L. Owens,
William S. Black, Thomas S. Grundy, Joel Owsley,
William Bradley, George M. Hampton, Julian N. Phelps,
Carlo B. Brittain, Samuel Hanson, Edward C. Purdy,
George P. Brown, William Harris, C. C. Rogers,
John B. Bruner, P. B. Hawkins, Joseph W. Rowlett,
Wm. H. Calvert, Randall G. Hays, John L. Sallee,

George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—73.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be as aforesaid.

Mr. T. Todd moved a reconsideration of the vote rejecting the bill to amend an act giving to officers, crews, mechanics, and others, a lien on steamboats, approved January 28, 1839.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Duvall, from the committee to whom was referred a bill to organize County Courts in the several counties, and the amendments proposed thereto, reported the same with an amendment, as a substitute for said bill and amendments.

Ordered, That said bill and amendments, and the substitute for the same, be made the special order of the day for the 29th instant; and that the Public Printer forthwith print 150 copies of said substitute for the use of the members of the General Assembly.

Mr. Garrett moved the following resolution, viz:

Resolved, That the Librarian is hereby directed to make a catalogue of all the books now in the Library, or in the possession of such persons as are entitled to the use of the books in the Public Library, and the supposed cost of each volume, and submit the same to this House at as early a day as possible.

Which was adopted.

A bill from the Senate, entitled, an act to divide the State into four districts for the election of Judges of the Court of Appeals, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole.

The House then resolved itself into a committee of the whole on the bill concerning the Court of Appeals, and the bill from the Senate, entitled, an act to divide the State into four districts for the election of Judges of the Court of Appeals, Mr. McFarland in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bills aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

FRIDAY, JANUARY 24, 1851.

The Speaker laid before the House the annual report of the Kentucky and Louisville Mutual Insurance Company, which is as follows, viz:

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO.
Louisville, January 21, 1851.

To the Speaker of the House of Representatives of Kentucky:

SIR: In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the following report of the condition, progress, and affairs of this Company, from the commencement of their business up to and including the 30th November last, and request that you will lay the same before the body over which you preside.

I have the honor to be, very respectfully, yours, &c.,

WILLIS STEWART, *Pres't.*

THE KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY.

Report of the condition, progress, and affairs of said Company, up to the 30th November, 1850, inclusive, viz:

Amount insured, 1,375 policies,	$3,455,047 88	
Deduct amount of policies expired,	1,351,074 66	
		$ 2,103,973 22
Amount insured on merchandise, 35 policies,	$64,360	
Deduct amount of 24 policies expired,	47,600	
		16,760 00
		$ 2,120,733 22
Amount of premium notes,	$227,779 063/4	
Deduct amount of premium notes discharged,	74,424 281/2	
	$153,354 781/4	
Received for premium and fees for policies on real estate,	$23,433 461/2	
Received for premium and fees for policies on merchandise,	1,687 121/2	
Received for extra premium for increased risks,	537 79	
Received for assessments on premium notes,	13,841 95	
Received from T. H. Becker, Agent,	1 14	
		$ 39,501 47
Paid for expenses,	$ 18,609 22	
Paid for losses,	15,781 40	
Paid for commissions to agents,	615 621/2	
Due from agents,	357 221/2	
Cash, balance,	4,138 00	
		$ 39,501 47

BALANCES.

DEBITS.

To bills receivable,	$ 117,454 363/4
To cash,	4,138 00
To expense account,	18,609 22
To profit and loss account,	15,781 40
To commission account,	615 621/2
To agents account,	357 221/2
	$156,955 833/4

CREDITS.

By extra premium account,	$537 79
By premium on merchandise,	1,652 121/2
By premium account,	153,354 781/4
By policy account,	1,375 00
By policy on merchandise,	35 00
By T. H. Becker,	1 14
	$156,955 833/4

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 5th December, 1850, the President of the Company submitted to the Board a statement of the condition, progress, and affairs of said Company, which being read, examined, and approved by the Board, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of the State, agreeably to the requisition of the 22d section of the charter of this Company.

Also, the response of the Second Auditor to a resolution of this House, of the 22d instant, which is as follows, viz:

OFFICE OF THE SECOND AUDITOR,
January 23, 1851.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: In obedience to a resolution of the House of Representatives, of yesterday, I report: that, by act of Assembly, approved 25th January, 1833, there was appropriated, for the purchase of books for the Public Library, - - - - - - - - - - - - $ 2,500 00

By act of 11th February, 1836, for Engineers' Department, books to be lodged in the Public Library, - - - - 500 00

By act of 16th February, 1838, for books for the Public Library, - - - - - - - - - - - - 2,500 00

Total appropriations, - - - - - - $ 5,500 00

Of this fund, there has been drawn and expended for books, - - - - - - - - - - - - 5,368 66

Leaving undrawn, - - - - - - - $ 131 34

This is all the information I have on this subject.

I am, very respectfully,
THO. S. PAGE, *2d Auditor.*

Mr. Ritter presented the petition of William Simons, praying additional compensation for taking care of an idiot, which was received, the reading dispensed with, and referred to the committee on Claims.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of John B. Whalen, of Marion county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said bill be referred to the committee on Claims.

Mr. Hanson, from the same committee, to whom was referred leave to bring in a bill respecting the authentication of deeds, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on Revised Statutes prepare and bring in the same.

Mr. Hanson, from the same committee, to whom was referred a bill for the benefit of William Abner, of Owsley county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said bill be referred to the committee on Ways and Means.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to revive the corporate powers and to authorize the re-building of the Meeting House of Mount Tabor Church, in Estill county.

An act for the benefit of the citizens of the town of Burksville.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Lexington and Covington Turnpike Road Company.

An act authorizing the construction of a mill dam across Pond river.

An act for the benefit of certain School Districts in this State.

Mr. Hanson, from the committee on the Judiciary, to whom was referred leave to bring in a bill for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Courts, asked to be discharged from the further consideration of the same, which was granted.

Ordered That the committee on Ways and Means prepare and bring in the same.

On motion of Mr. Grainger,

Leave was given to bring in a bill for the benefit of Asbury Chapel, in the city of Louisville.

Ordered, That the committee on the Judiciary prepare and bring in the same.

An engrossed bill, entitled, an act concerning free negroes and mulattoes, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the assessors of tax in each county of this commonwealth, in the year one thousand eight hundred and fifty one, and every year thereafter, to ascertain and make due return thereof, of the name, age, sex, and color, whether black or mulatto, of each and every free negro and mulatto within each county; and the clerk of the county court shall make, annually, within a book to be kept for that purpose, a full and complete register from the assessors' books, of all such free negroes and mulattoes so ascertained and returned, which shall be open at all times to any and all persons desiring access thereto.

§ 2. That it shall be the duty of the clerk of the county court of each county in this commonwealth, within the month of July of each year, to issue a summons in the name of the commonwealth, directed to the sheriff of his county, commanding each and every free negro and mulatto, by his or her name, within his county, who, if a male, shall be over the age of twenty-one and under the age of fifty years, and if a female, over the age of eighteen and under the age of forty-five years, to appear before him, at his office, within ten days after the service of such process, and to exhibit their freedom papers before said clerk, if any they have; and, if they have no freedom papers, to produce such evidence as they can that he or she was free-born; and the clerk shall, thereupon, make a record in said book, of all such as shall appear before him in obedience to such process, together with a description of the individual so appearing, including the name, age, sex, color, heighth, and visible marks upon his or her face, head, or hands, as well as a statement when and by whom he or she was emancipated, or, if free-born, where he or she was born, and who were his or her parents; and shall also make out a true and complete copy of said record, accompanied with the seal of his office, and attested with his signature; and shall deliver such copy or certificate so made out, to the person whose description it purports to be; and, upon the delivery of said

certificate by the clerk, to the person entitled thereto, he or she shall pay the sum of two dollars, of which the sum of fifty cents shall be retained by the clerk for his fees, and fifty cents to be paid over by him to the sheriff for his services, and the balance shall be accounted for and paid over by him, in the same manner and under the same regulations that he is by law required to account for and pay over tax on seals and deeds; but no tax for annexing the county seal shall be demanded: *Provided*, that not more than one certificate of freedom shall be issued to the same person, until the former is returned and destroyed by the clerk.

§ 3. That if any free negro or mulatto, being duly served with process as aforesaid, and failing to appear before the clerk within the time specified, or, if appearing shall fail to comply with the requisitions of this act, it shall be the duty of said clerk to make return thereof to the next county court of his county, by way of information; and, thereupon, the court shall direct an attachment to issue against said free negro or mulatto so failing to appear, returnable to the next term of said court, to show cause, if any he or she can, why he or she shall not be fined for such failure; and said court, upon the return of said attachment executed, shall try said information in a summary manner, by the intervention of a jury, who may find said free negro or mulatto guilty, and assess a fine against him, her, or them, in any sum not exceeding ten dollars, each; and, thereupon, said court shall render judgment for the amount of said fine and the cost of the prosecution, and the clerk shall, within ten days after the adjournment of said court, issue a *capias profine* for the amount of said fine and costs, against such free negro or mulatto, by the authority of which the sheriff of the county, to whom the same shall be directed, shall, unless the same be paid, take such free negro or mulatto into his possession, and shall, at the next county court, proceed to hire out such free negro or mulatto to such person as will pay the amount of said execution for the shortest time of service; and the sheriff shall deliver such free negro or mulatto to the person so hiring, and shall take bond with good surety, to secure the payment of said hire, within three months, payable to the commonwealth of Kentucky, which bond shall have the force and effect of a replevin bond, and shall make return of said *capias profine*, together with said bond, to the clerk of his county, within ten days after such hiring; and when said bond shall fall due, the clerk shall issue an execution thereon, directed to the sheriff of the county where the obligors to said bond reside, for the amount thereof; and the said sheriff shall collect the same and pay it over to said clerk, and take his receipt therefor; and said clerk shall account for and pay over the same, in the same manner and under the same regulations as he is directed to account for and pay over tax on seals and deeds; and the hirer shall also enter into bond, with good surety, payable to the commonwealth of Kentucky, in the penalty of one thousand dollars, conditioned that he will not remove such free negro or mulatto without the bounds of the county where such hiring shall have taken place, during the term of service, and that he will treat such free negro or mulatto with humanity, and feed and clothe him well.

§ 4. The money thus collected and paid over by the clerks of this commonwealth shall be forever set apart and applied in aid of such free negroes and mulattoes as shall hereafter voluntarily emigrate from this state to Liberia; each emigrant to be entitled to receive therefrom the sum of fifty dollars, upon his or her producing to the auditor of public accounts a certificate, with the county seal annexed, from the clerk of the county court of the county in which such free negro or mulatto resides, stating that such free negro or mulatto is an actual resident of his county, and has executed bond with good surety, in double the amount to be drawn from the treasury, conditioned that he or she will, without delay, emigrate to Liberia, and never after return and settle in this state; and the auditor shall issue his warrant for the same, which shall be paid by the treasurer, out of the fund aforesaid, and no other.

§ 5. That the assessor shall be allowed the sum of five cents for each free negro or mulatto listed and returned by him upon his books.

§ 6. That if any free negro or mulatto shall pass his or her certificate aforesaid to any person of color, whether that person be free or slave, for purposes in contravention of this act, or to aid and assist any slave or slaves in escaping from the service of his or her owner or owners, such free negro and mulatto shall be deemed guilty of felony, and shall upon indictment by a grand jury, and upon convicviction thereof before a jury of the country, be sentenced by the court before who the trial shall be had, to undergo confinement at hard labor in the jail and penitentiary house of this commonwealth, for a period of not less than three nor more than eight years.

§ 7. That if any free negro or mulatto, now residing without the limits of this state, and hereafter moving to and settling in this state, or any free negro or mulatto now residing within this state, and having left and settled without the limits of this state, and shall return and settle again within the limits of this state, such free negro or mulatto shall be deemed guilty of felony, and shall, upon indictment by a grand jury, and upon conviction thereof before a jury of the country, be sentenced by the court before whom the trial shall be had, to undergo confinement at hard labor in the jail and penitentiary house of this commonwealth, for a period of not less than two nor more than five years.

§ 8. Persons convicted under the seventh section of this act, after they have served the time of confinement in the penitentiary, or after they may have been pardoned, who fail to leave, but remain in this state for a period of thirty days, shall be guilty of felony, and punished by confinement in the penitentiary for a period of not less than five nor more than ten years for each offense.

§ 9. That hereafter, no free negro or mulatto shall purchase or otherwise acquire any real estate within this state; nor shall they become the owner of any slave or slaves, unless for the purpose of carrying such slave or slaves without the bounds of this state; and any property or slave acquired contrary to this section, shall be forfeited to the commonwealth without office found, and shall be sold, under the direction of the court, and the proceeds of sale shall form a part of the fund as created by the fourth section of this act.

Mr. Jesup moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Provided, that nothing in this section shall change the law of descents as to real estate, and slaves owned by free negroes and mulattoes, at the passage of this act.

And the question being taken on adopting the same, it was decided in the affirmative.

Mr. Grainger moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Preston and Logan, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Thomas S. Grundy,	Thomas Y. Payne,
John B. Arnold,	George M. Hampton,	Julian N. Phelps,
Robert A. Athey,	Samuel Hanson,	Edward C. Purdy,

Wm. S. Black,
Wm. Bradley,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
Norvin Green,
William Harris,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Benjamin L. Owens,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
G. W. Williams, of B—52.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
R. T. Baker,
Wm. Beeler,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
Robert H. Campbell,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Wm. H. Gardner,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
William M. Gray,
Wm. M. Green,
P. B. Hawkins,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Joel Owsley,
Wm. Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Basil G. Smith,
John F. Todd,
William T. Ward,
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward—41.

Resolved, That the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill regulating allowances to Masters, Auditors, and Commissioners in Chancery, reported the same without amendment.

Mr. Logan moved an amendment to said bill, and after some discussion had thereon, the hour of 11 o'clock, A. M., arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill concerning the Court of Appeals, and the bill from the Senate, entitled, an act to divide the State into four districts for the election of Judges of the Court of Appeals, Mr. McFarland in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bills aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

SATURDAY, JANUARY 25, 1851.

1. Mr. G. P. Brown presented the petition of Andrew Craig, praying an appropriation to aid in opening a road in Whitley county.

2. Mr. Kingman presented the memorial of sundry citizens of Livingston country, in relation to the old bridge across the Cumberland river, at Nashville.

3. Mr. J. F. Todd presented the petition of the Trustees of Russellville, praying permission to sell some streets in said town.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Federal Relations; and the 3d to the committee on the Judiciary.

On motion of Mr. Grundy,

Ordered, That the select committee, who were appointed to prepare and bring in a bill for the benefit of School District, No. 28, in Washington county, be discharged from the further consideration of the same, which was granted.

Ordered, That the committee on Education prepare and bring in the same.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of William M. Fox, Clerk of the Pulaski Circuit and County Courts.

An act to amend an act incorporating the Lexington and Frankfort Turnpike Road.

An act for the benefit of the Sheriff of Anderson county.

An act to amend the charter of the Eagle Creek, New Liberty, Owenton, and Scott County Line Turnpike or Plank Road Company.

An act giving the Meade County Court jurisdiction of part of the Salt river and Bowlinggreen road.

Mr. McElroy read and laid on the table the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on the 10th day of March, 1851, when the Senate and House of Representatives shall adjourn, such adjournment shall be without day.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

An act for the benefit of School District, No. 29, in Owen county.

An act to repeal an act establishing a Police Court in the town of Hardinsburg.

An act to incorporate the Mayslick and Sardis Turnpike Road Company.

An act to legalize an order of the Hickman County Court, appointing an agent to sell Seminary lands.

An act to incorporate the town of Clementsburg, in Crittenden county.

An act for the benefit of V. T. Smith.

An act to incorporate Harvey McGuire Lodge, No. 209, of Free and Accepted Masons.

An act to authorize taxation to build a school house in district No. 25, in Lewis county.

An act to amend an act, entitled, an act to incorporate the several Masonic Institutions of the city of Louisville.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829, to Big Sandy river.

An act for the benefit of the Sheriff of Grant county.

An act to legalize an order of the Fulton County Court, in changing a road.

An act to incorporate the Liberty and Hustonville Turnpike Road Company.

An act disposing of the vacant lands in Floyd county.

An act for the benefit of the heirs of James G. Hazelrigg, deceased.

An act for the benefit of Horatio Fields, the son of Thomas J. Fields, of Bath county.

An act to amend the charter of the city of Augusta.

An act declaring Little Sandy navigable to the mouth of Laurel Creek, in Morgan county.

An act to amend an act to incorporate the town of Mayslick, in Mason county, approved February 1, 1837.

An act for the benefit of Robert Kinkead.

An act to regulate the sale of the estates of persons of unsound mind.

An act for the benefit of the Estill Seminary.

An act to incorporate the Mount Zion Cumberland Presbyterian Church, in Henderson county.

An act to incorporate the Richmond and Irvine Plank Road Company.

And bills which originated in the Senate, of the following titles, viz:

An act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies.

An act to incorporate Wayne Lodge, No. 119, of Free and Accepted Masons.

An act in relation to Magistrates' and Constables' Districts, in Henry and Laurel counties.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Mitchell, from the committee on Propositions and Grievances, who were appointed to prepare and bring in the same, reported a bill providing for an election to be held for the location of the county seat of Owsley county, which was read the first time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of permanently locating the county seat of Owsley county, the following persons are hereby appointed Judges, to superintend an election to be held on the 1st Monday in May, 1851, to-wit: John C. Faulconer and Joseph Seal, to at tend atthe town of Boonville, and Absalom R. Dickerson and Hiram McGuire, at the town of Proctor; and should either of the above named Judges fail to attend, the other Judge shall appoint another person in his place, who shall reside in the place or town in which the other Judge resided, whose place he shall be appointed to fill; and the said Judges shall open poll books at their respective places of meeting, containing separate columns for and against said towns, as above indicated; and they shall continue said election for two consecutive days, and at the end of that time, they shall cause the votes to be cast up in each column, and the place having a majority of all the votes cast, shall be entitled to the seat of justice for said county, and the County Court of Owsley county shall, at their next meeting, so proclaim the fact, and immediately take the necessary steps, under existing laws, to have the sense of the people, as aforesaid, properly carried out; and in case of their failure to do so, the Circuit Court of Owsley county shall have power, and is hereby required to enforce the compliance of said County Court with the directions aforesaid; and until they shall have complied, the Circuit and County Courts of said county, shall sit at the town of Proctor; and to enable them to do so, the citizens of Proctor shall furnish a house sufficient to hold said Courts in, until the public buildings can be erected; and it shall also be the duty of the Clerk of the County Court, if it shall be ascertained that the town of Proctor has a majority in said election, to remove the archives of his office immediately to said town.

§ 2. That in the event that either of said parties or Judges, substituted as aforesaid, for or against the removal of the county seat, shall fail to attend, or refuse to act, in causing said election to be held as required by this act, then the opposing Judge shall proceed to open a poll as directed by this act, at the point he may be in favor of, and a majority of said poll shall govern and settle, and change the said county seat, as if both places of said county had voted.

§ 3. That James Smallwood is hereby appointed Clerk, and Abel Pennington as Sheriff, to superintend the election at Boonville, and M. G. Horton as Clerk, and William B. McGuire as Sheriff, to superintend the election at Proctor.

§ 4. That the mode of conducting said election, and the qualifications of the voters, shall be as prescribed by the act, approved February 29, 1844, entitled, "an act providing for the location of the county seat of

Owsley county," unless so far as the same is repealed or modified by this act; and that the said Judges shall have power to administer oaths to any person or persons that may be doubted as legal voters.

§ 5. And for false voting by persons not entitled to vote, or voting more than once, and for all failures of the several officers of the election herein contemplated, to perform their duties, said persons and officers shall be liable to the same penalties and forfeitures that by law now exist, and are inflicted on persons for false voting, and voting more than once.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. W. M. Green moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	Benjamin L. Owens,
James M. Alexander,	Norvin Green,	Julian N. Phelps,
John B. Arnold,	George M. Hampton,	Thomas W. Riley,
William Beeler,	Wm. Harris,	Burwell C. Ritter,
William S. Black,	P. B. Hawkins,	John Rodman,
John B. Bruner,	Stilwell Heady,	Joseph W. Rowlett,
George R. Burgess,	Samuel A. Kingman,	John L. Sallee,
Robert H. Campbell,	Hiram Klette,	Basil G. Smith,
Winston J. Davie,	Daniel Landes,	John F. Todd,
Asbury Dawson,	Preston H. Leslie,	Thomas Todd,
Alvin Duvall,	Caleb W. Logan,	Thomas W. Varnon,
Edgar B. Gaither,	George W. Mansfield,	William T. Ward,
William H. Gardner,	Strother D. Mitchell,	Elisha F. Wells,
Bernard H. Garrett,	Morton P. Moore,	G. W. Williams, of H.
John G. Gooch,	George H. Morrow,	Marcus L. Williams,
Alfred F. Graham,	Joel Murphy,	Edmund Wooldridge—50.
William H. Grainger,	William B. Murphy,	

Those who voted in the negative, were

R. T. Baker,	Cyrenius W. Gilmore,	Joel Owsley,
William Bradley,	William M. Green,	Thomas Y. Payne,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George P. Brown,	Lysander Hord,	John Shawhan,
Wm. H. Calvert,	George W. Kavanaugh,	George W. Silvertooth,
George T. Campbell,	Peter Lashbrooke,	Albert G. Talbott,
Henry R. D. Coleman,	Joseph H. Lewis,	Ambrose H. Talbott,
John W. Cook,	Andrew S. Linn,	Jesse S. Taylor,
Lucius Desha,	Daniel Matthewson,	William T. Terrill,
Joseph Dougherty,	Hiram McElroy,	John Tompson,
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of B.
Richard H. Field,	James P. Metcalfe,	James T. Woodward—37.
Samuel L. Geiger,		

Ordered, That said bill have its third reading on Saturday next, at 10 o'clock, A. M.

Mr. Desha, from the committee on Claims, reported a bill for the benefit of William Gracy, which was read the first time, as follows, viz:

Whereas, William Gracy, of Covington, was a youthful soldier in the late war with Mexico, and by the premature discharge of a cannon has lost both arms; and it is represented to this General Assembly that he can procure a pair of artificial arms and hands for the sum of two hundred and fifty dollars, but is penniless himself, and has no one nearly related to him able to assist him: Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor be, and he is hereby directed to issue his warrant on the Treasurer, for the sum of two hundred and fifty dollars, in favor of the said William Gracy, or his order.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Morton P. Moore,
James M. Alexander,	Wm. M. Gray,	George H. Morrow,
John B. Arnold,	Wm. M. Green,	Joel Murphy,
R. T. Baker,	Thomas S. Grundy,	William B. Murphy,
Wm. S. Black,	George M. Hampton,	Benjamin L. Owens,
Carlo B. Brittain,	Wm. Harris.	Julian N. Phelps,
George I. Brown,	P. B. Hawkins,	Edward C. Purdy,
George P. Brown,	Randall G. Hays,	Thomas W. Riley,
John B. Bruner,	Stilwell Heady,	Burwell C. Ritter,
George R. Burgess,	Lysander Hord,	John Rodman,
Wm. H. Calvert,	Samuel B. Jesup,	C. C. Rogers,
Robert H. Campbell,	George W. Kavanaugh,	Joseph W. Rowlett,
George T. Campbell,	Samuel A. Kingman,	Basil G. Smith,
Alexander P. Churchill,	Hiram Klette,	Albert G. Talbott,
Winston J. Davie,	Daniel Landes,	Ambrose H. Talbott,
Edward F. Dulin,	Peter Lashbrooke,	Jesse S. Taylor,
Alvin Duvall,	Preston H. Leslie,	Thomas Todd,
Robert English,	Andrew S. Linn,	John Tompson,
Richard H. Field,	Caleb W. Logan,	Thomas W. Varnon,
Edgar B. Gaither,	George W. Mansfield,	William T. Ward,
William H. Gardner,	William C. Marshall,	Elisha F. Wells,
Bernard H. Garrett,	Hiram McElroy,	G. W. Williams, of H.
Samuel L. Geiger,	John S. McFarland,	Marcus L. Williams,
Cyrenius W. Gilmore,	James P. Metcalfe,	James T. Woodward,
John G. Gooch,	Strother D. Mitchell,	Edmund Wooldridge—75.

Those who voted in the negative, were

William Bradley,	Norvin Green,	John L. Sallee,
Henry R. D. Coleman,	Joseph H. Lewis,	John Shawhan,
John W. Cook,	Daniel Matthewson,	George W. Silvertooth,
Asbury Dawson,	Joel Owsley,	William T. Terrill,
Lucius Desha,	Thomas Y. Payne,	John F. Todd—17.
Joseph Dougherty,	William Preston,	

Resolved, That the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to amend the charter of the city of Maysville.

By same—2. A bill for the benefit of James J. Hall.

By Mr. Duvall—3. A bill to incorporate the South Elkhorn and Midway Turnpike Road Company.

By Mr. Matthewson—4. A bill for the benefit of the Trustees of Waidsboro'.

By the committee on Education—5. A bill to incorporate the Kentucky Female College, at Greensburg.

By the committee on Privileges and Elections—6. A bill providing for the election of certain officers in the town of Paducah.

By the committee on Banks—7. A bill to amend the charter of the Farmers' Bank of Kentucky.

By Mr. Sallee—8. A bill for the benefit of the widow and heirs of James G. Miller, and others.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, and 6th were severally ordered to be engrossed and read a third time; the 7th was referred to the committee on Banks, and the 8th to the committee on Circuit Courts.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, and 6th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the committee on Claims, to whom was referred the petition of A. H. Poston, asked to be discharged from the further consideration of the same.

Mr. Landes moved that the committee prepare and bring in a bill in accordance with the prayer of said petition.

And the question being taken thereon, it was decided in the affirmative.

Mr. Desha, from the same committee, to whom was referred the petition of Abraham Boyd, praying that an allowance may be made him greater than that allowed by law, for conveying a lunatic to the Asylum at Lexington, asked to be discharged from the further consideration of the same.

Mr. Landes moved that the committee prepare and bring in a bill in accordance with the prayer of said petition.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coleman and Linn, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
William Beeler,
Wm. Bradley,
George P. Brown,
George R. Burgess,
Winston J. Davie,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
George M. Hampton,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
George W. Mansfield,
Hiram McElroy,
John S. McFarland,
George H. Morrow,
William B. Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
G. W. Williams, of B—36.

Those who voted in the negative, were

R. T. Baker,
Carlo B. Brittain,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Cyrenius W. Gilmore,
Wm. M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Samuel B. Jesup,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Daniel Matthewson,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Thomas W. Riley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
Wm. T. Terrill,
Thomas Todd,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—46.

Mr. Desha, from the same committee to whom was referred the petition of Hial Stephens, asked to be discharged from the further consideration of the same.

Mr. Gaither moved that the committee prepare and bring in a bill in accordance with the prayer of said petition.

And the question being taken thereon, it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Silvertooth—1. A bill to re-organize and regulate the office of Police Judge, in the town of Hickman, in Fulton county.

On motion of Mr. G. P. Brown—2. A bill to change the law establishing the road from London, in Laurel county, by the way of Williamsburg to Tennessee.

Ordered, That Messrs. Silvertooth, Rogers, and Cook, prepare and bring in the first, and Messrs. G. P. Brown, Woodward, and Mitchell, the 2d.

At a quarter of 2 o'clock, P. M., Mr. A. H. Talbott moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Leslie, were as follows, viz:

Those who voted in the affirmative, were

Bernard H. Garrett, Joseph H. Lewis, William B. Murphy—3.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Murphy,
R. T. Baker,	Alfred F. Graham,	Benjamin L. Owens,
William S. Black,	William H. Grainger,	Joel Owsley,
William Bradley,	William M. Gray,	Thomas Y. Payne,
Carlo B. Brittain,	William M. Green,	Julian N. Phelps,
George P. Brown,	Thomas S. Grundy,	Edward C. Purdy,
John B. Bruner,	George M. Hampton,	Thomas W. Riley,
George R. Burgess,	William Harris,	Burwell C. Ritter,
William H. Calvert,	P. B. Hawkins,	John Rodman,
Robert H. Campbell,	Stilwell Heady,	C. C. Rogers,
George T. Campbell,	Lysander Hord,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel B. Jesup,	John L. Sallee,
Henry R. D. Coleman,	Samuel A. Kingman,	John Shawhan,
John W. Cook,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Peter Lashbrooke,	Basil G. Smith,
Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Lucius Desha,	Andrew S. Linn,	Jesse S. Taylor,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Edward F. Dulin,	Daniel Matthewson,	John Tompson,
Alvin Duvall,	Hiram McElroy,	Thomas W. Varnon,
Robert English,	John S. McFarland,	William T. Ward,
Richard H. Field,	James P. Metcalfe,	G. W. Williams, of B.
William H. Gardner,	Strother D. Mitchell,	G. W. Williams, of H.
Samuel L. Geiger,	Morton P. Moore,	Marcus L. Williams,
Cyrenius W. Gilmore,	George H. Morrow,	James T. Woodward—75.

A message was received from the Governor, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of Allen C. Scott.

An act to amend an act, entitled, an act for the benefit of the Laurel County Seminary, approved February 28, 1835.

An act for the benefit of Jesse Cassity, late Sheriff of Morgan county.

An act for the benefit of Nathan B. Lowe and Joshua West.

An act to amend the Police Law of the town of Bedford, in Trimble county.

An act to amend an act, entitled, an act for the benefit of the soldiers of the late war with England, &c.

An act to repeal an act declaring Whippoorwill a navigable stream.

An act to amend an act for the benefit of William Joshua Barney and Georgiana, his wife.

An act for the benefit of the Sheriff of Caldwell county.

An act to reduce the corporate limits of the town of Monticello.

An act to authorize the County Court of Nicholas county to change, alter, or discontinue a State road in said county.

An act to establish the Police Court of Flemingsburg.

An act for the benefit of the Clerk of the Union County Court.

An act to enlarge the limits of the town of New Market, in Marion county.

An act to authorize the Trustees of Paris to levy a tax upon the property of the citizens of said town, and upon the property within a mile of said town, to aid in the construction of the Covington and Lexington Railroad.

An act to incorporate the Henry Female College.

An act to incorporate Somerset Royal Arch Chapter, No. 25.

An act to incorporate Curd Lodge, No. 175.

An act to amend an act approved November 18, 1850, to settle the dividing lines of Estill and Owsley counties.

An act to confirm a sale made to S. S. Atwell, by the Second Auditor, of a house and lot in Brandenburg.

An act to establish an additional Justices' and Constables' District, in Fulton county.

An act to incorporate the Hall of Simpson Division, No. 75, Sons of Temperance.

An act to repeal so much of an act, approved February 23, 1849, as declares Three Mile Creek, in Lawrence county, a navigable stream.

An act to amend an act, entitled, an act to amend the charter of the town of Bowlinggreen, approved 5th March, 1850.

Approved January 21, 1851.

Mr. McFarland moved the following resolution, viz:

Resolved, That the resolution setting apart every Saturday for the consideration of private bills be and the same is hereby rescinded.

Mr. Metcalfe moved to amend said resolution, by adding thereto the following, viz:

And that after the 1st of February, this House will hold evening sessions each day, at 3 o'clock.

And the question being taken on adopting the same, it was decided in the affirmative.

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

And then the House adjourned.

MONDAY, JANUARY 27, 1851.

1. Mr. Dulin presented the petition of the citizens of Mount Carmel, praying the establishment of a Police Court.

2. Mr. Gooch presented the petition of sundry citizens of Muhlenburg county, praying the establishment of a State Medical Board.

3. Mr. M. L. Williams presented the petition of sundry citizens of Greenup county, praying that William Kouns be permitted to retail liquor in a house not connected with his tavern.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d to Messrs. N. Green, Gardner, Allen, Owsley, and Riley; and the 3d to Messrs. M. L. Williams, Ward, and Burgess.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to authorize the Spencer County Court to sell the Poor House tract of land in said county.

An act to incorporate Bedford Lodge, No. 158, of Free and Accepted Masons.

An act to incorporate Bullitt Lodge, No. 155, of Free and Accepted Masons.

An act to enlarge the jurisdiction of the Police Judge of the town of Hartford.

That they had passed bills of the following titles, viz:

An act to amend and reduce into one the several acts incorporating the Franklin Fire, Marine, and Life Insurance Company, of Louisville.

An act for the benefit of Lucretia Stephens, administratrix of James Stephens, deceased.

An act to incorporate Lodge, No. 53, of Free and Accepted Masons, and Daviess Chapter, No. 29.

An act to authorize the Clerk of the Allen Circuit Court to transmit certain papers, now in his possession, to the Clerk of the Barren Circuit Court.

And had received official information from the Governor, that he had approved and signed enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

An act to amend the act incorporating the Warsaw Turnpike Road Company.

An act for the benefit of Ephraim Smith.

An act to reduce the number of districts in Mercer county, for the election of Justices of the Peace and Constables.

An act for the benefit of William R. Gough, of Graves county.

Approved January 21, 1851.

A resolution to add Camden M. Ballard, and others, to the committee to visit the Institute of the Blind, and Marine Hospital.

A resolution of instruction to the committee on Banks.

Approved January 21, 1851.

The House again resumed the consideration of the bill regulating allowances to Masters, Auditors, and Commissioners in Chancery, and the amendment proposed thereto by Mr. Logan.

Ordered, That said bill and amendment be referred to the committee on the Judiciary.

Mr. Metcalfe, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate Hebron Lodge, No. 19, Independent Order of Odd Fellows.

An act granting the town of Salvisa a Police Judge and Town Marshal.

An act for the benefit of the children and heirs of Michael Duvane and Penelope Thornton, deceased.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the Senate, entitled, an act to change the boundary lines of the town of Harrodsburgh, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title be amended by adding, "and to increase the town tax."

Mr. Mansfield, from the committee on Religion, to whom was referred leave to bring in a bill to repeal all acts legalizing the sale of lottery tickets, and for other purposes, asked to be discharged from the further consideration of the same.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Joseph H. Lewis,
George W. Mansfield,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of H.
Marcus L. Williams—55.

Those who voted in the negative, were

John B. Arnold,	Preston H. Leslie,	Joseph W. Rowlett,
John B. Bruner,	Andrew S. Linn,	John L. Sallee,
Henry R. D. Coleman,	Daniel Matthewson,	John Shawhan,
Edward F. Dulin,	Hiram McElroy,	Albert G. Talbott,
John G. Gooch,	John S. McFarland,	Jesse S. Taylor,
William M. Green,	Strother D. Mitchell,	William T. Terrill,
George M. Hampton,	Wm. B. Murphy,	John F. Todd,
William Harris,	Joel Owsley,	John Tompson,
P. B. Hawkins,	Thomas Y. Payne,	Elisha F. Wells,
Randall G. Hays,	William Preston,	George W. Williams, of B.
Hiram Klette,	Thomas W. Riley,	James T. Woodward—35.
Peter Lashbrooke,	Burwell C. Ritter,	

Mr. Mansfield, from the same committee, to whom was referred petitions of sundry persons, praying for the passage of a law, making those who retail spirituous liquors responsible for the injuries resulting therefrom, asked to be discharged from the further consideration of the same, which was granted.

Mr. McFarland, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Thomas L. Garrard, of Pendleton county.

An act for the benefit of the Sheriff of Kenton county.

An act for the benefit of the Sheriff of Taylor county.

An act for the benefit of the Sheriff of Knox county.

An act for the benefit of the Sheriff of Rockcastle county.

An act for the benefit of the Sheriff of Bath county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—1. A bill for the benefit of Harvey M. Brown.

By the committee on Religion—2. A bill to exempt Ministers of the Gospel from paying tolls or ferriages.

By the committee on Ways and Means—3. A bill for the benefit of the Sheriffs of Hopkins and Logan counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the House the annual report of the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE BOARD OF INTERNAL IMPROVEMENT,
January 27, 1851.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

You will please present the accompanying report from this office to the body over which you preside. Most respectfully,

J. SPEED SMITH.

[*For Report—see Legislative Documents.*]

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act for the benefit of William C. Halbert, Sheriff of Lewis county, reported the same without amendment.

The question was then put on reading said bill a third time, and after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill concerning the Court of Appeals, and the bill from the Senate, entitled, an act to divide the State into four districts for the election of Judges of the Court of Appeals, Mr. McFarland in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bills aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, JANUARY 28, 1851.

1. Mr. Heady presented the petition of sundry citizens of Spencer county, praying an appropriation in aid of the Kentucky Colonization Society.

2. Mr. Silvertooth presented the petition of McKenzie Temple of Honor, No. 6, of Clinton, praying that an act may be passed giving them corporate powers.

3. Mr. Lashbrooke presented the petition of sundry citizens of Mason county, members of the Hup-hussas, or Immortal Sevens, praying an act of incorporation.

4. Mr. Athey presented the memorial of sundry physicians, praying the passage of an act providing for the registration of births, marriages, and deaths.

5. Mr. Cook presented the petition of the members of Mayfield Lodge, No. 146, praying an act of incorporation.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell; the 2d to Messrs. Silvertooth, Garrett, and Field; the 3d to the committee on Religion; the 4th to Messrs. N. Green, Gardner, Allen, Owsley, and Riley, and the 5th to Messrs. Cook, R. H. Campbell, and Morrow.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize the running and re-marking the boundary lines of Butler county.

An act to amend an act in relation to the Seminary lands of Lewis county.

An act to establish the town of Crittenden, in the counties of Grant, Boone, and Kenton, and for other purposes.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act in relation to the town of Glasgow.

An act requiring Assessors of Tax to return the names and post offices of the Deaf and Dumb children in the several counties.

An act concerning the Treasurer of Graves county.

The House resumed the consideration of the bill from the Senate, entitled, an act for the benefit of William C. Halbert, Sheriff of Lewis county.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred bills of the following titles, viz:

A bill for the benefit of the Sheriffs of Bullitt county.

A bill for the benefit of William Abner, of Owsley county.

A bill for the benefit of James Clark, late Sheriff of Casey county.

A bill for the benefit of Charles P. Tate, late Sheriff of Casey county.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McFarland, from the same committee, to whom was referred the petition of Lemuel Hibbard, asked to be discharged from the further consideration of the same, which was granted.

Mr. McFarland, from the same committee, to whom was referred the petition of sundry citizens in relation to granting license to peddlers, asked to be discharged from the further consideration of the same, which was granted.

Mr. Baker, from the committee on Internal Improvement, to whom was referred the resolution moved by Mr. M. L. Williams, directing them to inquire into the expediency of appropriating one hundred dollars to improve the navigation of Tygert's Creek, in Greenup county, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Ways and Means—A bill for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Court.

By the committee on Internal Improvement—A bill to incorporate the New Liberty and Kentucky River Turnpike Road Company.

By same—A bill to incorporate the Mayslick and Helena Turnpike Road Company.

By same—A bill to amend the law incorporating the Carrollton and Eagle Creek Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate certain Turnpike Road Companies in Montgomery county, approved March 5, 1850.

An act to incorporate the Licking Packet Company.

An act to incorporate the Farmers' Turnpike Road Company.

An act to incorporate the Springfield and Marion County Turnpike Road Company.

An act to incorporate the Pleasant Run Turnpike Road Company.

An act to authorize the Trustees of the town of Springfield to subscribe stock in a Turnpike Road.

An act to authorize a change in the State Road leading from Canton to Hickman.

An act to revive the charter of the Burlington and Dry Creek Turnpike Road Company.

An act to amend the charter of the Lexington, Frankfort, and Versailles Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Smith, Assistant Secretary of State, which is as follows, viz:

To the General Assembly:

A bill has been presented for my approval, entitled, "an act for the benefit of V. T. Smith." The act represents that V. T. Smith, is an infant, and proceeds, by the first section, to authorize his guardian to deliver to him any property or money which he may have in his hands, belonging to said V. T. Smith.

By the second section, V. T. Smith is relieved from *all the disabilities* of infancy, and made capable in law, to contract and be contracted with, sue and be sued, plead and be impleaded.

How far this general release from the disabilities of infancy, would extend towards conferring upon this infant all the civil and political rights of an adult, I will not pretend to define. An assumption of the right to vote and hold office, would be so palpable and glaring a violation of the Constitution, as to authorize the presumption that no such right would be asserted.

The 32d section, 2d article, of the Constitution, is in the following words: "The General Assembly shall have no power to grant divorces, to change the names of individuals, or direct the sales of estates belonging to infants, or other persons laboring under legal disabilities, by *special legislation;* but by general laws shall confer such powers on the Courts of Justice."

The Legislature had often exercised the power of conferring, by special acts, power and jurisdiction in the Courts, to dispose of infants' estates, under a state of case not provided for by the general laws. In that form, the Legislature had *directed* a disposition of infants' estates by special legislation. That special legislation was held to be an evil attending our legislative body, and to arrest it, may be traced the adoption of the section of the Constitution quoted.

I do not consider that section as only intended to arrest a particular form of special legislation on that subject, which had grown into use,

but as a general and comprehensive inhibition of the power of the Legislature, by special legislation, to interfere with, or to direct and control the estates of infants, and a positive direction that some general law should be passed, uniform in its provisions, conferring such power on the Courts.

The Legislature could not, by special act, confer the power on the Court to direct a disposition of V. T. Smith's estate. Upon what principle, then, can it be contended that the Legislature may assume the direct power, without the intervention of the Courts of Law or Chancery? Is not such an act a violation of the true sense and meaning of the Constitution? By it, V. T. Smith has the right to sell and dispose of his whole estate at his volition. Indeed, this little statutory man, seems to have conferred upon him corporate powers. He is invested with the power of contracting and being contracted with, to sue and be sued, plead and be impleaded; and such a specified grant of powers would necessarily imply the power to use the *common* seal.

The Legislature cannot grant a divorce. But if the Legislature assumes the power to legalize second marriages, and relieve a party from the penalties of such an act—denying descent to the children by the first, and conferring it upon those of a second marriage, and deny to the first wife alimony—the term divorce would be lost sight of. Yet such an act would be a violation of the spirit and meaning of the Constitution.

Can the Legislature, under the clause quoted, confer the direct power upon lunatics and idiots to sell and dispose of their estates?

Apart from the constitutional question, with deference to the General Assembly, I do think there could not be introduced a more mischievous species of special legislation, than that of making men of children by special acts, and conferring upon them the power to demand settlements with their guardians, and the right to dispose of their estates, according to their own will.

I therefore return the bill with the foregoing reasons for withholding my approval. JOHN L. HELM.

JANUARY 27, 1851.

The said bill, alluded to in the foregoing message, is as follows, viz:

AN ACT FOR THE BENEFIT OF V. T. SMITH.

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That James Smith, as guardian for V. T. Smith, be and he is hereby authorized to deliver up to said V. T. Smith, any money or property he may have in his possession, or may hold, as guardian aforesaid, and any receipt which said V. T. Smith may execute to him therefor, is hereby legalized, and made binding.

§2. That said V. T. Smith is hereby relieved from the disabilities of infancy, and made fully competent to contract and be contracted with, sue and be sued, plead and be impleaded, in any Court in this Commonwealth, as fully and completely as if he were now of full age.

GEO. W. JOHNSTON,
Speaker of the House of Representatives.
BEN. EDWARDS GREY,
Speaker of the Senate, pro tempore.

The question was then taken, shall the bill pass, the Governor's objections to the contrary notwithstanding? and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz :

Those who voted in the affirmative, were

James M. Alexander, George T. Campbell, Bernard H. Garrett—3.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
Wm. S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
George W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—87.

The House again resolved itself into a committee of the whole, on the bill concerning the Court of Appeals, and the bill from the Senate, entitled, an act to divide the State into four districts for the election of Judges of the Court of Appeals, Mr. McFarland in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the bills aforesaid, and had instructed him to report to the House, the bill concerning the Court of Appeals, with amendments.

The said bill reads as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first Judicial District for the Court of Appeals shall be composed of the counties of Fulton, Hickman, Ballard, Graves, McCracken, Crittenden, Livingston, Marshall, Calloway, Trigg, Caldwell, Union, Hopkins, Henderson, Christian, Todd, Muhlenburg, Daviess, Hancock, Ohio, Butler, Logan, Simpson, Warren, Edmonson, Breckinridge, Grayson, and Allen; that the second district shall be composed of the counties of Meade, Hardin, Jefferson, Oldham, Trimble, Henry, Franklin, Shelby, Bullitt, Nelson, Spencer, Larue, Hart, Barren, Green, Marion, Taylor, Washington, and Anderson; that the third district shall be composed of the counties of Monroe, Cumberland, Clinton, Adair, Russell, Wayne, Pulaski, Casey, Lincoln, Boyle, Mercer, Woodford, Fayette, Garrard, Jessamine, Madison, Estill, Rockcastle, Laurel, Whitley, Knox, Harlan, Clay, Perry, Letcher, Floyd, Pike, Johnson, Morgan, Owsley, and Breathitt; and the fourth district shall be composed of the counties of Greenup, Carter, Lawrence, Lewis, Fleming, Bath, Mason, Bracken, Bourbon, Nicholas, Pendleton, Harrison, Scott, Campbell, Kenton, Grant, Boone, Gallatin, Carroll, Owen, Clarke, and Montgomery.

§ 2. That the salaries of the Judges of the Court of Appeals shall be dollars per annum.

§ 3. That if, on the trial of any cause which may at any time be pending in the Court of Appeals, a majority of the Judges cannot sit, on account of interest in the event of the cause, or on account of their relationship to either party; or when a Judge may have been employed in or decided the cause in the inferior Court, it shall be the duty of the Court to select, from the Judges of the Circuit Courts, a Judge or Judges to preside with such Judge or Judges of the Court of Appeals as can sit, to constitute a special Court, to sit, commencing on a day to be fixed by the Court of Appeals, for the trial of any such cause or causes; and the Circuit Judge or Judges thus selected, shall, in addition to his or their salary as Circuit Judge, receive the sum of five dollars per day, for every day he or they shall sit on such special Court; and, also, the same mileage as is allowed to members of the Legislature; the amount of compensation, as aforesaid, to be certified to the Auditor of Public Accounts by the special Court, and to be paid by the Treasurer.

§ 4. That the Clerk of the Court of Appeals shall receive for his services a fixed annual salary of dollars, to be paid quarterly out of the Public Treasury—the same to commence from and after the day of ; and, after that day, he shall keep a fee book, in which shall be recorded all the fees accruing in his office; and it shall be his duty to collect the same with due diligence, by authority of the laws now in force relating to Clerk's fees; and he shall render annually, on or before the first day of January, of each year, a true and correct account thereof to the Auditor of Public Accounts: and shall, upon rendering such account, pay the amount collected by him into the Public Treasury.

§ 5. That, in addition to the oath prescribed by the Constitution, he shall, before he enters upon the duties of his office, take the following oath or affirmation: "I do furthermore swear or affirm, that I will keep a true and correct account of all fees accruing in my office, or cause the

same to be done; that I will use due diligence in the collection thereof, and, when collected, I will pay the same into the Treasury of this Commonwealth;" and execute a bond, which shall be renewed annually, with two or more good sureties to be approved by the Court of Appeals, and filed in the office of the Secretary of State for safe keeping, in the penalty of $10,000, payable to the Commonwealth of Kentucky, conditioned for the faithful performance of his duties as Clerk of the Court of Appeals; that he will render to the Auditor of Public Accounts a statement in writing annually, on or before the first day of January of each year, during the term of his office, of all fees accruing in his office; that he will use diligence in collecting the fees of his office, and that he will pay the same when collected, as provided for by law, into the Public Treasury; and a failure on the part of said Clerk to comply with the conditions of his bond, shall subject him and his sureties to be sued upon the same, and it shall be sufficient cause for his removal from office.

The first amendment proposed by the committee of the whole to said bill, was to strike out the first section of said bill, after the enacting clause, and insert the following, viz:

That the first Judicial District for the Court of Appeals, shall be composed of the counties of Mason, Nicholas, Bourbon, Clarke, Madison, Rockcastle, Lewis, Fleming, Bath, Montgomery, Estill, Laurel, Whitley, Harlan, Knox, Clay, Owsley, Letcher, Perry, Breathitt, Morgan, Lawrence, Carter, Greenup, Johnson, Floyd, Pike, and Pulaski.

That the second district shall be composed of the counties of Bracken, Pendleton, Campbell, Kenton, Boone, Gallatin, Carroll, Trimble, Henry, Owen, Grant, Harrison, Scott, Fayette, Jessamine, Garrard, Boyle, Mercer, Anderson, Franklin, Woodford, Shelby, and Oldham.

That the third district shall be composed of the counties of Jefferson, Bullitt, Nelson, Spencer, Hardin, Meade, Larue, Hart, Barren, Monroe, Cumberland, Clinton, Wayne, Russell, Casey, Lincoln, Washington, Marion, Taylor, Green, and Adair.

That the fourth district shall be composed of the counties of Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Crittenden, Union, Hopkins, Caldwell, Trigg, Todd, Logan, Simpson, Warren, Allen, Christian, Henderson, Muhlenburg, Daviess, Ohio, Butler, Edmonson, Hancock, Grayson, and Breckinridge.

Mr. Payne moved to amend the first amendment of the committee of the whole, by substituting in lieu thereof the following, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first Judicial District for the Court of Appeals shall be composed of the counties of Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Livingston, Crittenden, Union, Henderson, Caldwell, Trigg, Daviess, Hancock, Christian, Todd, Hopkins, Muhlenburg, Ohio, Butler, Edmonson, Warren, Logan, Simpson, Allen, Grayson, and Monroe.

The second district shall be composed of the counties of Jefferson, Kenton, Boone, Gallatin, Owen, Franklin, Carroll, Trimble, Henry, Oldham, Shelby, Anderson, Spencer, Nelson, Bullitt, Hardin, Larue, Meade, and Breckinridge.

The third district shall be composed of the counties of Barren, Hart, Green, Marion, Washington, Adair, Cumberland, Clinton, Wayne, Russell, Casey, Boyle, Mercer, Garrard, Lincoln, Pulaski, Whitley, Knox, Harlan, Letcher, Perry, Clay, Laurel, Rockcastle, Breathitt, Madison, Estill, Owsley, and Taylor.

The fourth district shall be composed of the counties of Fayette, Jessamine, Woodford, Scott, Bourbon, Clarke, Montgomery, Bath, Nicholas, Harrison, Pendleton, Bracken, Campbell, Mason, Fleming, Lewis, Greenup, Carter, Lawrence, Johnson, Pike, Morgan, Floyd, and Grant.

Mr. Kavanaugh moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was first taken on the amendment of Mr. Payne, in lieu of the first amendment of the committee of the whole, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Ward, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Thomas Y. Payne,
James B. Allen,	Wm. H. Grainger,	William Preston,
John B. Arnold,	George M. Hampton,	Burwell C. Ritter,
William Bradley,	Stilwell Heady,	John L. Sallee,
Carlo B. Brittain,	Samuel B. Jesup,	Albert G. Talbott,
George P. Brown,	Daniel Landes,	Ambrose H. Talbott,
George R. Burgess,	Peter Lashbrooke,	Jesse S. Taylor,
Henry R. D. Coleman,	Caleb W. Logan,	John F. Todd,
Winston J. Davie,	George W. Mansfield,	John Tompson,
Asbury Dawson,	Daniel Matthewson,	Thomas W. Varnon,
Edward F. Dulin,	Hiram McElroy,	Marcus L. Williams,
Samuel L. Geiger,	James P. Metcalfe,	Edmund Wooldridge—38.
Cyrenius W. Gilmore,	George H. Morrow,	

Those who voted in the negative, were

James M. Alexander,	William H. Gardner,	Benjamin L. Owens,
Wm. W. Alexander,	Bernard H. Garrett,	Joel Owsley,
Robert A. Athey,	John G. Gooch,	Julian N. Phelps,
R. T. Baker,	William M. Gray,	Elward C. Purdy,
William Beeler,	William M. Green,	Thomas W. Riley,
George I. Brown,	Thomas S. Grundy,	John Rodman,
John B. Bruner,	Wm. Harris,	C. C. Rogers,
William H. Calvert,	Randall G. Hays,	Joseph W. Rowlett,
Robert H. Campbell,	Lysander Hord,	John Shawhan,
George T. Campbell,	George W. Kavanaugh,	George W. Silvertooth,
Alexander P. Churchill,	Samuel A. Kingman,	Basil G. Smith,
John W. Cook,	Preston H. Leslie,	William T. Terrill,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	John S. McFarland,	William T. Ward,
Alvin Duvall,	Strother D. Mitchell,	Elisha F. Wells,
Robert English,	Morton P. Moore,	George W. Williams, of B.
Richard H. Field,	Joel Murphy,	G. W. Williams, of H.
Edgar B. Gaither,	William B. Murphy,	James T. Woodward—54.

The question was then taken on the adoption of the first amendment of the committee of the whole, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Preston and McFarland, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
Robert A. Athey,
Wm. Beeler,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
John G. Gooch,
William M. Gray,
Wm. M. Green,
Thomas S. Grundy,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
William T. Ward,
Elisha F. Wells,
George W. Williams, of H.
James T. Woodward—54.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
R. T. Baker,
Wm. Bradley,
Carlo B. Brittain,
George P. Brown,
George R. Burgess,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
Wm. H. Grainger,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Thomas Y. Payne,
Wm. Preston,
John L. Sallee,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—39.

The second amendment of the committee of the whole to said bill, was to strike out the 2d, 3d, 4th, and 5th sections.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The question was then taken on engrossing and reading said bill a third time, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Preston and Ward, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Wm. W. Alexander,
James B. Allen,
Robert A. Athey,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
William M. Gray,
William M. Green,
Thomas S. Grundy,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
Thomas Todd,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—65.

Those who voted in the negative, were

John B. Arnold,
R. T. Baker,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Winston J. Davie,
Edward F. Dulin,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Thomas Y. Payne,
Wm. Preston,
John L. Sallee,
Ambrose H. Talbott,
Jesse S. Taylor,
John F. Todd,
Thomas W. Varnon,
Marcus L. Williams—27.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title be amended to read: "An act to divide the State into four districts for the election of Judges of the Court of Appeals."

And then the House adjourned.

WEDNESDAY, JANUARY 29, 1851.

Mr. Squire Gatliff, the member returned to serve in this House from the county of Whitley, in the place of Daniel Cain, deceased, appeared, and having produced a certificate of his election, and taken the oath prescribed by the Constitution, took his seat.

1. Mr. Varnon presented the petition of George W. Harris, praying a change of venue.

2. Mr. Rowlett presented the petition of William H. Sandford, and others, praying that further time be allowed them to return their delinquent lists of revenue tax.

3. Mr. A. G. Talbott presented the petition of Isom L. Vanarsdall, praying to be added to the county of Boyle.

4. Mr. Rowlett presented the petition of the Trustees of School District, No. 26, in Owen county, praying further time to make their report.

5. Mr. Hays presented the petition of sundry citizens of Hardin county, in relation to granting license to peddlers.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d to the committee on Ways and Means; the 3d to the committee on Propositions and Grievances; the 4th to the committee on Education; and the 5th to Messrs. Hays, W. M. Green, English, and Taylor.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to amend and re-enact an act, entitled, an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

That they had passed bills of the following titles, viz:

An act to incorporate Phœnix Lodge, No. 28, of the Independent Order of Odd Fellows.

An act to incorporate the Hopkinsville Baptist Female Institute.

An act in relation to the Magistrates' and Constables' Districts in Grant county.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill to authorize the several counties to tax themselves for internal improvement purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be made the special order of the day for the 15th of February next, and that the Public Printer forthwith print 150 copies of the same, for the use of the members of the General Assembly.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill to regulate tolls on Turnpike Roads in Mason county.

By same—2. A bill to regulate tolls on Turnpike Roads in Kenton county.

By Same—3. A bill to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and declare the same a county road.

By Mr. Silvertooth—4. A bill to incorporate McKenzie Temple of Honor, No. 6.

By the committee on Education—5. A bill for the benefit of School District, No. 1, in Lawrence county.

By Mr. G. P. Brown—6. A bill to repeal, in part, the law establishing the road from London, by way of Williamsburg, to the Tennessee line.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 4th, and 5th, were severally ordered to be engrossed and read a third time; and the 3d and 6th were referred to the committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act in relation to the Magistrates' and Constables' Districts in Grant county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rogers, from the committee on Education, reported a bill in relation to the Seminary funds of McCracken county, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Grainger asked for the reading of the fifth section of said bill, which is as follows, viz:

§ 5. That it shall be the duty of said Treasurer, as soon as practicable, after he collects said fund, or any part thereof, to loan the same out at a rate of interest not to exceed *ten* per cent. per annum, taking bonds or notes for the same, payable to himself as Treasurer, with good security; but no loan shall be for a longer time than one year; the interest on the amount so loaned, shall be collectable on the first day of January in each year; the said Treasurer may, at the expiration of the time for which said money, or any part thereof, may have been loaned, renew the same, or he may collect it; but it shall be the duty of said Treasurer, and his successors, to loan out said money from year to year, at interest, as above directed.

Mr. Grainger then moved to amend said section by striking out the word "ten," and insert in lieu thereof the word "six."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Grainger, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Julian N. Phelps,
James B. Allen,	William H. Grainger,	Edward C. Purdy,
John B. Arnold,	Wm. M. Gray,	Thomas W. Riley,
William Beeler,	Wm. M. Green,	Burwell C. Ritter,
George I. Brown,	Thomas S. Grundy,	John Rodman,
George P. Brown,	Samuel Hanson,	John L. Sallee,
John B. Bruner,	Randall G. Hays,	John Shawhan,
Wm. H. Calvert,	Stilwell Heady,	Basil G. Smith,
George T. Campbell,	Samuel B. Jesup,	Albert G. Talbott,
Alexander P. Churchill,	Hiram Klette,	Ambrose H. Talbott,
Henry R. D. Coleman,	Daniel Landes,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	William T. Terrill,
Lucius Desha,	Preston H. Leslie,	John F. Todd,
Robert English,	Caleb W. Logan,	Thomas Todd,
Richard H. Field,	Daniel Matthewson,	John Tompson,
Edgar B. Gaither,	James P. Metcalfe,	Thomas W. Varnon,
Squire Gatliff,	Morton P. Moore,	Marcus L. Williams,
Samuel L. Geiger,	Benjamin L. Owens,	James T. Woodward—56.
Cyrenius W. Gilmore,	Joel Owsley,	

Those who voted in the negative, were

James M. Alexander,	William H. Gardner,	George H. Morrow,
Robert A. Athey,	Bernard H. Garrett,	Joel Murphy,
R. T. Baker,	Alfred F. Graham,	William B. Murphy,
William Bradley,	George M. Hampton,	C. C. Rogers,
Carlo B. Brittain,	P. B. Hawkins,	Joseph W. Rowlett,
George R. Burgess,	Lysander Hord,	George W. Silvertooth,
Robert H. Campbell,	George W. Kavanaugh,	William T. Ward,
John W. Cook,	Andrew S. Linn,	Elisha F. Wells,
Winston J. Davie,	George W. Mansfield,	George W. Williams, of B.
Joseph Dougherty,	Hiram McElroy,	G. W. Williams, of H—32.
Alvin Duvall,	John S. McFarland,	

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rogers, from the committee on Education, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of the heirs of Joseph Burnett, deceased.

An act to appoint two Trustees for Rockcastle Seminary, and for other purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Williams, of Hancock, moved the following resolution, viz:

Resolved, That the Public Printer prepare and print 150 copies of the changes made by the committee on Revised Statutes, in the report as originally made by the Commissioners on Revised Statutes, (by proper reference to the page, section, and line.)

Which was adopted.

Mr. Rogers, from the committee on Education, reported a bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg, which was read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. W. M. Green moved an amendment to said bill.

And after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

Mr. A. G. Talbott moved to discharge the committee of the whole from the further consideration of the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts.

Mr. Shawhan moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the committee of the whole be discharged from the further consideration of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and A. G. Talbott, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Benjamin L. Owens,
John B. Arnold,	Samuel L. Geiger,	Julian N. Phelps,
Robert A. Athey,	Cyrenius W. Gilmore,	Thomas W. Riley,
William Beeler,	John G. Gooch,	John Rodman,
William Bradley,	Alfred F. Graham,	Joseph W. Rowlett,
Carlo B. Brittain,	William M. Gray,	John L. Sallee,
George I. Brown,	Lysander Hord,	John Shawhan,
George P. Brown,	Samuel B. Jesup,	Basil G. Smith,
George R. Burgess,	Hiram Klette,	Albert G. Talbott,
Robert H. Campbell,	Daniel Landes,	Ambrose H. Talbott,
George T. Campbell,	Peter Lashbrooke,	Jesse S. Taylor,
Henry R. D. Coleman,	Preston H. Leslie,	John F. Todd,
John W. Cook,	Andrew S. Linn,	Thomas Todd,
Winston J. Davie,	Daniel Matthewson,	Thomas W. Varnon,
Lucius Desha,	Hiram McElroy,	Elisha F. Wells,
Joseph Dougherty,	Strother D. Mitchell,	G. W. Williams, of B.
Edward F. Dulin,	Morton P. Moore,	Marcus L. Williams,
Alvin Duvall,	George H. Morrow,	James T. Woodward—56.
Bernard H. Garrett,	Joel Murphy,	

Those who voted in the negative, were

James M. Alexander,	William M. Green,	James P. Metcalfe,
Wm. W. Alexander,	Thomas S. Grundy,	Wm. B. Murphy,
James B. Allen,	George M. Hampton,	Joel Owsley,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
Wm. S. Black,	William Harris,	Edward C. Purdy,
John B. Bruner,	P. B. Hawkins,	Burwell C. Ritter,
William H. Calvert,	Randall G. Hays,	C. C. Rogers,
Asbury Dawson,	Sulwell Heady,	George W. Silvertooth,
Robert English,	George W. Kavanaugh,	William T. Terrill,
Richard H. Field,	Samuel A. Kingman,	John Tompson,
Edgar B. Gaither,	Caleb W. Logan,	William T. Ward,
William H. Gardner,	George W. Mansfield,	G. W. Williams, of H.
William H. Grainger,	John S. McFarland,	Edmund Wooldridge—39.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Judicial Districts for Circuit Courts in this Commonwealth, shall be composed of the counties as follows, viz:

The first district of the counties of Greenup, Carter, Lawrence, Morgan, Montgomery, Clarke, Bath, Estill, Fleming, and Lewis.

The second district of the counties of Johnson, Floyd, Pike, Letcher, Perry, Breathitt, Owsley, Clay, Knox, Harlan, Whitley, and Laurel.

The third district of the counties of Mason, Bracken, Nicholas, Bourbon, Fayette, and Madison.

The fourth district of the counties of Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Carroll, and Grant.

The fifth district of the counties of Owen, Scott, Franklin, Jessamine, Woodford, Anderson, and Shelby.

The sixth district of the counties of Jefferson, Henry, Oldham, and Trimble.

The seventh district of the counties of Mercer, Boyle, Garrard, Lincoln, Casey, Rockcastle, Pulaski, Wayne, and Russell.

The eighth district of the counties of Spencer, Washington, Marion, Green, Taylor, Larue, Hardin, Bullitt, and Nelson.

The ninth district of the counties of Adair, Hart, Edmonson, Barren, Warren, Simpson, Allen, Monroe, Cumberland, and Clinton.

The tenth district of the counties of Logan, Todd, Butler, Muhlenburg, Daviess, Ohio, Hancock, Breckinridge, Meade, and Grayson.

The eleventh district of the counties of Christian, Trigg, Caldwell, Hopkins, Union, Henderson, and Crittenden.

The twelfth district of the counties of Graves, Fulton, Hickman, Ballard, McCracken, Calloway, Marshall, and Livingston.

Mr. McElroy moved to amend said bill by striking out all after the enacting clause, and insert in lieu thereof the following, viz:

That the Judicial Districts for Circuit Courts in this Commonwealth, shall be composed of the counties, as follows, to-wit:

The first district of the counties of Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, and Livingston.

The second district of the counties of Caldwell, Trigg, Union, Christian, Hopkins, Henderson, and Crittenden.

The third district of the counties of Todd, Logan, Muhlenburg, Butler, Warren, Simpson, Allen, Edmonson, and Hart.

The fourth district of the counties of Hancock, Ohio, Breckinridge, Meade, Grayson, Hardin, Larue, Nelson, and Daviess.

The fifth district of the counties of Barren, Monroe, Cumberland, Clinton, Green, Adair, Casey, Russell, Wayne, and Taylor.

The sixth district of the counties of Jefferson, Shelby, Bullitt, and Spencer.

The seventh district of the counties of Madison, Estill, Garrard, Mercer, Lincoln, Boyle, Washington, Marion, and Anderson.

The eighth district of the counties of Fayette, Clarke, Bourbon, Scott, Woodford, Jessamine, and Franklin.

The ninth district of the counties of Kenton, Boone, Grant, Carroll, Owen, Trimble, Henry, Oldham, and Gallatin.

The tenth district of the counties of Mason, Bracken, Lewis, Greenup, Pendleton, Campbell, Nicholas, and Harrison.

The eleventh district of the counties of Pulaski, Knox, Rockcastle, Harlan, Laurel, Whitley, Clay, Perry, Owsley, and Letcher.

The twelfth district of the counties of Montgomery, Fleming, Bath, Carter; Lawrence, Morgan, Johnson, Pike, Floyd, and Breathitt.

Mr. McFarland moved to lay said bill and amendment on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Gilmore, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
Wm. W. Alexander,
R. T. Baker,
John B. Bruner,
George T. Campbell,
Alexander P. Churchill,
Asbury Dawson,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
George W. Kavanaugh,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
John Rodman,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
John Tompson,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—41.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
Robert A. Athey,
William Beeler,
Wm. S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Wm. H. Grainger,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—55.

Mr. J. F. Todd moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment of Mr. McElroy be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Brittain, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Squire Gatliff,
Wm. H. Grainger,
George M. Hampton,
Samuel Hanson,
Morton P. Moore,
George H. Morrow,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Burwell C. Ritter,

George I. Brown,
George P. Brown,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Robert English,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
William T. Ward,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward—57.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Wm. Beeler,
John B. Bruner,
George R. Burgess,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Wm. M. Green,
Thomas S. Grundy,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Thomas Todd,
Thomas W. Varnon,
Elisha F. Wells,
G. W. Williams, of H—38.

The question was then taken on reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Phelps, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
William H. Grainger,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward—54.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
Edward C. Purdy,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
William T. Ward,
George W. Williams, of H.
Edmund Wooldridge—41.

Mr. J. F. Todd moved that said bill have its third reading on to-morrow, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
William H. Grainger,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Wm. T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—57.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
John B. Bruner,
George T. Campbell,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Preston H. Leslie,
Caleb W. Logan,
Benjamin L. Owens,
Edward C. Purdy,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,

Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
William T. Ward,
G. W. Williams, of B,
G. W. Williams, of H.
Edmund Wooldridge—38.

At a quarter past 1 o'clock, P. M. Mr. J. M. Alexander moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
R. T. Baker,
William Bradley,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
William H. Grainger,
Randall G. Hays,
Samuel A. Kingman,
Hiram Klette,
Caleb W. Logan,
George W. Mansfield,
William B. Murphy,
Benjamin L. Owens,
Basil G. Smith,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—26.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Peter Lashbrooke,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
G. W. Williams, of B—63.

Bills from the Senate of the following titles, viz:

1. An act to amend the charter of the Bank Lick Turnpike Road Company.

2. An act to amend the charter of the town of Hardinsburg.

3. An act to amend the charter of the Lexington and Covington Turnpike Road Company.

4. An act authorizing the construction of a mill dam across Pond river.

5. An act for the benefit of certain School Districts in this State.

6. An act for the benefit of Lucretia Stephens, administratrix of James Stephens, deceased.

7. An act to incorporate Warren Lodge, No. 53, of Free and Accepted Masons, and Daviess Chapter, No. 29.

8. An act to authorize the Clerk of the Allen Circuit Court to transmit certain papers, now in his possession, to the Clerk of the Barren Circuit Court.

9. An act to amend and reduce into one the several acts incorporating the Franklin Fire, Marine, and Life Insurance Company, of Louisville.

10. An act in relation to the town of Glasgow.

11. An act requiring Assessors of Tax to return the names and post offices of the Deaf and Dumb children in the several counties.

12. An act concerning the Treasurer of Graves county.

13. An act to incorporate Phœnix Lodge, No. 28, of the Independent Order of Odd Fellows.

14. An act to incorporate the Hopkinsville Baptist Female Institute.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 3d, and 4th, were referred to the committee on Internal Improvement; the 2d, 6th, 7th, 8th, 9th, and 13th, to the committee on the Judiciary; the 5th, 11th, and 14th, to the committee on Education; the 10th to the committee on Propositions and Grievances; and the 12th to the committee on Ways and Means.

At ten minutes of 2 o'clock, P. M., Mr. W. W. Alexander moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. W. Alexander and J. M. Alexander, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Thomas Y. Payne,
James B. Allen,	John G. Gooch,	Edward C. Purdy,
Robert A. Athey,	Wm. H. Grainger,	John Rodman,
William Beeler,	Thomas S. Grundy,	Basil G. Smith,
Wm. Bradley,	P. B. Hawkins,	Albert G. Talbott,
George P. Brown,	Lysander Hord,	Wm. T. Terrill,
George R. Burgess,	Daniel Landes,	John F. Todd,
William H. Calvert,	Caleb W. Logan,	Thomas W. Varnon,
George T. Campbell,	John S. McFarland,	William T. Ward,
Alvin Duvall,	James P. Metcalfe,	Elisha F. Wells,

Robert English,
Edgar B. Gaither,
William H. Gardner,
Benjamin L. Owens,
Joel Owsley,
G. W. Williams, of H.
James T. Woodward—37.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
R. T. Baker,
William S. Black,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
Wm. M. Gray,
William M. Green,
George M. Hampton,
Samuel Hanson,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
G. W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—53.

And then the House adjourned.

THURSDAY, JANUARY 30, 1851.

1. Mr. Duvall presented the petition of John T. Daviess and Ann Daviess, his wife, praying the passage of an act authorizing the Scott Circuit Court, upon bill filed, to sell a tract of land, and to invest the proceeds in other lands.

2. Mr. Hampton presented a memorial from certain citizens of Bath county, praying that an additional district may be laid off in said county, for the election of Justices of the Peace and a Constable, by dividing the Flat Creek District.

3. Mr. Hord presented a memorial from citizens of Franklin county, asking for an appropriation in aid of the Kentucky Colonization Society.

4. Mr. Moore presented a petition from citizens of Owsley county, praying that a town may be laid off in said county, opposite the town of Proctor, to be called Independence.

5. Mr. G. P. Brown presented the petition of citizens of Laurel county, praying that an additional district may be laid off in said county, for the election of Justices of the Peace and a Constable.

6. Mr. T. Todd presented a memorial of sundry citizens of Shelbyville, and its vicinity, remonstrating against the passage of an act to extend the limits of said town.

7. Mr. Hanson presented a memorial from William Rogers, in relation to the conduct of Nathaniel Wolfe, as an attorney.

8. Mr. G. W. Williams, of Hancock, presented a petition from citizens of Ohio county, praying that an additional district may be laid off for the election of Justices of the Peace and a Constable.

Which were received, the reading dispensed with, and referred—the 1st, 4th, and 6th, to the committee on the Judiciary; the 2d, 5th, and 8th, to the committee on Propositions and Grievances; the 3d to Messrs. Williams, of Bourbon, Hays, A. H. Talbott, Kingman, and R. H. Campbell; and the 7th was laid on the table.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to divide the State into four districts for the election of Judges of the Court of Appeals.

An act to change the limits of the town of Lawrenceburg.

An act for the benefit of William Gracy.

That they had passed bills of the following titles, viz:

An act to run and re-mark the boundary line between the counties of Lewis and Mason.

An act to change the place of voting from Mason Gardner's to John F. Blandford's, in Marion county.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Cook—1. A bill to incorporate Mayfield Lodge, No. 146, of Free and Accepted Masons.

By Mr. T. Todd—2. A bill to extend the limits of the town of Shelbyville.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the first bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House again resumed the consideration of the bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg, and the amendment of Mr. W. M. Green.

And after some discussion had thereon, the hour of 10 o'clock arrived, when the House proceeded to the consideration of the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts.

The said bill was then read a third time.

Mr. J. F. Todd moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and McFarland, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Richard H. Field,	Joel Owsley,
James B. Allen,	Squire Gatliff,	Thomas Y. Payne,
John B. Arnold,	Cyrenius W. Gilmore,	Julian N. Phelps,
R. T. Baker,	William H. Grainger,	Burwell C. Ritter,
Wm. Beeler,	Norvin Green,	C. C. Rogers,
William S. Black,	George M. Hampton,	Albert G. Talbott,
Carlo B. Brittain,	Samuel Hanson,	Ambrose H. Talbott,
George I. Brown,	William Harris,	William T. Terrill,
George P. Brown,	P. B. Hawkins,	John F. Todd,
William H. Calvert,	Stilwell Heady,	Thomas Todd,
Robert H. Campbell,	Samuel B. Jesup,	John Tompson,
George T. Campbell,	Hiram Klette,	Thomas W. Varnon,
Alexander P. Churchill,	Peter Lashbrooke,	Elisha F. Wells,
Henry R. D. Coleman,	Daniel Matthewson,	G. W. Williams, of B.
John W. Cook,	Hiram McElroy,	G. W. Williams, of H.
Asbury Dawson,	Morton P. Moore,	Marcus L. Williams,
Alvin Duvall,	George H. Morrow,	James T. Woodward—51.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	James P. Metcalfe,
James M. Alexander,	William M. Gray,	Strother D. Mitchell,
William Bradley,	William M. Green,	Joel Murphy,
John B. Bruner,	Thomas S. Grundy,	William B. Murphy,
George R. Burgess,	Randall G. Hays,	Benjamin L. Owens,
Winston J. Davie,	Lysander Hord,	Edward C. Purdy,
Lucius Desha,	George W. Kavanaugh,	John Rodman,
Joseph Dougherty,	Samuel A. Kingman,	Joseph W. Rowlett,
Edward F. Dulin,	Daniel Landes,	John L. Sallee,
Robert English,	Preston H. Leslie,	John Shawhan,
Edgar B. Gaither,	Joseph H. Lewis,	George W. Silvertooth,
William H. Gardner,	Andrew S. Linn,	Basil G. Smith,
Bernard H. Garrett,	Caleb W. Logan,	Jesse S. Taylor,
Samuel L. Geiger,	George W. Mansfield,	William T. Ward—44.
John G. Gooch,	John S. McFarland,	

Mr. Williams, of Hancock, moved to reconsider the vote ordering the previous question.

Mr. Payne moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Gaither, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Squire Gatliff,	Julian N. Phelps,
John B. Arnold,	Cyrenius W. Gilmore,	Burwell C. Ritter,
Robert A. Athey,	William H. Grainger,	C. C. Rogers,
R. T. Baker,	Norvin Green,	Joseph W. Rowlett,
William Beeler,	George M. Hampton,	George W. Silvertooth,
William S. Black,	Samuel Hanson,	Albert G. Talbott,
William Bradley,	William Harris,	Ambrose H. Talbott,
Carlo B. Brittain,	P. B. Hawkins,	William T. Terrill,
George I. Brown,	Stilwell Heady,	John F. Todd,
George P. Brown,	Samuel B. Jesup,	Thomas Todd,
Wm. H. Calvert,	Daniel Landes,	John Tompson,
Robert H. Campbell,	Peter Lashbrooke,	Thomas W. Varnon,
George T. Campbell,	Daniel Matthewson,	Elisha F. Wells,
Henry R. D. Coleman,	Hiram McElroy,	George W. Williams, of B.
Asbury Dawson,	George H. Morrow,	Marcus L. Williams,
Alvin Duvall,	Joel Owsley,	James T. Woodward—50.
Richard H. Field,	Thomas Y. Payne,	

Those who voted in the negative, were

James M. Alexander,	John G. Gooch,	John S. McFarland,
William W. Alexander,	Alfred F. Graham,	James P. Metcalfe,
John B. Bruner,	Wm. M. Gray,	Strother D. Mitchell,
George R. Burgess,	Wm. M. Green,	Morton P. Moore,
Alexander P. Churchill,	Thomas S. Grundy,	Joel Murphy,
John W. Cook,	Randall G. Hays,	William B. Murphy,
Winston J. Davie,	Lysander Hord,	Benjamin L. Owens,
Lucius Desha,	George W. Kavanaugh,	Edward C. Purdy,
Joseph Dougherty,	Samuel A. Kingman,	John Rodman,
Edward F. Dulin,	Hiram Klette,	John L. Sallee,
Robert English,	Preston H. Leslie,	John Shawhan,
Edgar B. Gaither,	Joseph H. Lewis,	Basil G. Smith,
William H. Gardner,	Andrew S. Linn,	Jesse S. Taylor,
Bernard H. Garrett,	Caleb W. Logan,	William T. Ward,
Samuel L. Geiger,	George W. Mansfield,	G. W. Williams, of H—45.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Hanson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
Wm. S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
William H. Grainger,
Norvin Green,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—51.

Those who voted in the negative, were

James M. Alexander,
Wm. W. Alexander,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
Edward C. Purdy,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Ward—44.

Mr. Williams, of Hancock, moved a reconsideration of the vote passing said bill.

At 2 o'clock, P. M., Mr. Garrett moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Calvert, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
William W. Alexander,
John B. Bruner,
George R. Burgess,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Thomas S. Grundy,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
Strother D. Mitchell,
John Rodman,
Basil G. Smith,
Jesse S. Taylor,
William T. Ward,
G. W. Williams, of H—26.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
Elisha F. Wells,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward—70.

Mr. Arnold moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Allen and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
Wm. S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
George H. Morrow,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward—58.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Thomas S. Grundy,	Benjamin L. Owens,
James M. Alexander,	Randall G. Hays,	Edward C. Purdy,
Wm. W. Alexander,	Lysander Hord,	Thomas W. Riley,
John B. Bruner,	George W. Kavanaugh,	John Rodman,
Alexander P. Churchill,	Samuel A. Kingman,	John L. Sallee,
Edward F. Dulin,	Hiram Klette,	John Shawhan,
Robert English,	Joseph H. Lewis,	Basil G. Smith,
William H. Gardner,	Andrew S. Linn,	Jesse S. Taylor,
Bernard H. Garrett,	Caleb W. Logan,	Thomas Todd,
Samuel L. Geiger,	John S. McFarland,	William T. Ward,
William M. Gray,	James P. Metcalfe,	Elisha F. Wells,
Norvin Green,	Strother D. Mitchell,	G. W. Williams, of H—38.
William M. Green,	Joel Murphy,	

The main question was then put, shall the vote passing said bill be reconsidered? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Arnold and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	William B. Murphy,
James M. Alexander,	Wm. M. Green,	Benjamin L. Owens,
William W. Alexander,	Thomas S. Grundy,	Edward C. Purdy,
Wm. Beeler,	Lysander Hord,	Thomas W. Riley,
John B. Bruner,	George W. Kavanaugh,	John Rodman,
George R. Burgess,	Samuel A. Kingman,	Joseph W. Rowlett,
Alexander P. Churchill,	Hiram Klette,	John L. Sallee,
Lucius Desha,	Preston H. Leslie,	John Shawhan,
Joseph Dougherty,	Joseph H. Lewis,	Basil G. Smith,
Edward F. Dulin,	Andrew S. Linn,	Ambrose H. Talbott,
Robert English,	Caleb W. Logan,	Jesse S. Taylor,
Edgar B. Gaither,	George W. Mansfield,	Thomas Todd,
Wm. H. Gardner,	John S. McFarland,	William T. Ward,
Bernard H. Garrett,	James P. Metcalfe,	Elisha F. Wells,
Samuel L. Geiger,	Strother D. Mitchell,	George W. Williams, of B.
John G. Gooch,	Morton P. Moore,	G. W. Williams, of H—50.
Alfred F. Graham,	Joel Murphy,	

Those who voted in the negative, were

James B. Allen,	Alvin Duvall,	Hiram McElroy,
John B. Arnold,	Richard H. Field,	George H. Morrow,
Robert A. Athey,	Squire Gatliff,	Joel Owsley,
R. T. Baker,	Cyrenius W. Gilmore,	Thomas Y. Payne,
William S. Black,	Wm. H. Grainger,	Julian N. Phelps,
Wm. Bradley,	Norvin Green,	Burwell C. Ritter,
Carlo B. Brittain,	George M. Hampton,	C. C. Rogers,
George I. Brown,	Samuel Hanson,	George W. Silvertooth,
George P. Brown,	P. B. Hawkins,	Albert G. Talbott,
William H. Calvert,	Randall G. Hays,	William T. Terrill,
George T. Campbell,	Stilwell Heady,	John F. Todd,
Henry R. D. Coleman,	Samuel B. Jesup,	John Tompson,
John W. Cook,	Daniel Landes,	Thomas W. Varnon,
Winston J. Davie,	Peter Lashbrooke,	Marcus L. Williams,
Asbury Dawson,	Daniel Matthewson,	James T. Woodward—45.

Mr. Field, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act in relation to the Seminary lands of Lewis county.

An act for the benefit of William Gracy.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

And then the House adjourned.

FRIDAY, JANUARY 31, 1851.

On motion of Mr. Desha, leave of absence for six days was granted to Mr. G. T. Campbell.

1. Mr. Garrett presented the petition of William P. Mellen, asking an act of incorporation of a Coal Mining Company.

2. Mr. Taylor presented the petition of John M. Gallagher, praying that one hundred dollars, which had been imposed on him as a fine, may be refunded.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Garrett, Gaither, Kavanaugh, and McElroy, and the 2d to the committee on Ways and Means.

A message was received from the Senate, announcing their concurrence in the amendment of this House to a bill from the Senate, entitled, an act in relation to the Magistrates' and Constables' Districts in Grant county.

That they had passed bills of the following titles, viz:

An act for the benefit of Samuel G. Mullens, of Mercer county.

An act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

An act to incorporate Salt River Lodge, No. 180, in the town of Mount Washington, in Bullitt county.

The House again resumed the consideration of the bill to amend an act, entitled, an act to incorporate the Trustees of Bacon College, loca-

ted at Harrodsburg, and the amendment proposed to said bill by Mr. W. M. Green.

The amendment proposed by Mr. Green was to strike out the 8th, 9th, and 10th sections of said bill.

The said sections read as follows, viz:

§ 8. That it shall and may be lawful for John T. Johnson, John Curd, John Duncan, Samuel Nuckols, James H. Daviess, Henry Johnson, P. S. Fall, T. C. Flournoy, G. W. Williams, Thomas Smith, H. M. Bledsoe, Asa Runyon, John Bowman, Samuel Hatch, George L. Nuckols, and James Challen, or their survivors and successors, now in office, to raise by way of lottery, in one or more classes, as to them may seem expedient, any sum not exceeding fifty thousand dollars, to be appropriated for the use and benefit of Bacon College, located at Harrodsburg, in the county of Mercer; and the said named persons, or such of them as may see proper to act as managers, shall, before they enter upon the duties hereinafter assigned by this act, enter into bond, in the County Court of Mercer, in the penalty of one hundred thousand dollars, conditioned for the faithful discharge of the duties hereinafter enjoined on them; and the said bond may be sued on in the name of the Commonwealth of Kentucky, for the use and benefit of any person or persons injured by a breach of the conditions of said bond; and it shall be the duty of said managers, within ninety days after the drawing of said lottery, or any class thereof, to pay or cause to be paid to the fortunate person or persons holding the ticket or tickets, all such prize or prizes as may be due, agreeably to the scheme which they, the said managers, may agree upon and publish: *Provided, however*, that such scheme shall not reserve more than twenty per cent.; said managers shall have the right to appoint such officers as may be necessary to conduct said lottery, all of whom, before they enter upon the respective duties assigned them by the managers, shall take an oath, before some Justice of the Peace, faithfully and honestly to discharge the same.

§ 9. That said managers shall, within the ninety days after the drawing of said lottery, or any class thereof, pay over to the Trustees of Bacon College, all sums of money which may be due, in consequence of the drawing of said lottery, after all prizes have been paid.

§ 10. That the said managers shall be, and they are hereby authorized to sell and dispose of said scheme, or any class thereof, to any person or persons who shall enter into bond with good security, conditioned well and faithfully to comply with all the terms and conditions prescribed in the eighth and ninth sections of this act, payable to the Commonwealth of Kentucky, which bond or bonds shall be received by said managers, and be by them filed in the said Mercer County Court, before said lottery, or any class thereof, shall be drawn: *Provided*, that nothing in this act contained, shall be so construed as to repeal any provision of the General Assembly of this Commonwealth, against selling or vending lottery tickets within this State.

Mr. Rogers moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Green be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grainger and Wells, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	James P. Metcalfe,
George I. Brown,	William H. Grainger,	Strother D. Mitchell,
John B. Bruner,	William M. Gray,	George H. Morrow,
Henry R. D. Coleman,	William M. Green,	Benjamin L. Owens,
John W. Cook,	Peter Lashbrooke,	Edward C. Purdy,
Asbury Dawson,	Preston H. Leslie,	Joseph W. Rowlett,
Lucius Desha,	Andrew S. Linn,	John L. Sallee,
Joseph Dougherty,	Caleb W. Logan,	John Shawhan,
Robert English,	George W. Mansfield,	Thomas Todd,
Cyrenius W. Gilmore,	Daniel Matthewson,	Elisha F. Wells,
John G. Gooch,	John S. McFarland,	James T. Woodward—33.

Those who voted in the negative, were

James M. Alexander,	Wm. H. Gardner,	William B. Murphy,
William W. Alexander,	Bernard H. Garrett,	Julian N. Phelps,
James B. Allen,	Squire Gatliff,	Burwell C. Ritter,
John B. Arnold,	Samuel L. Geiger,	John Rodman,
Robert A. Athey,	Norvin Green,	C. C. Rogers,
R. T. Baker,	Thomas S. Grundy,	George W. Silvertooth,
William Beeler,	George M. Hampton,	Basil G. Smith,
William S. Black,	Samuel Hanson,	Albert G. Talbott,
William Bradley,	Randall G. Hays,	Ambrose H. Talbott,
Carlo B. Brittain,	Stilwell Heady,	Jesse S. Taylor,
George P. Brown,	Lysander Hord,	Wm. T. Terrill,
George R. Burgess,	Samuel B. Jesup,	John F. Todd,
Alexander P. Churchill,	George W. Kavanaugh,	Thomas W. Varnon,
Winston J. Davie,	Hiram Klette,	William T. Ward,
Edward F. Dulin,	Daniel Landes,	G. W. Williams, of B,
Alvin Duvall,	Joseph H. Lewis,	G. W. Williams, of H.
Richard H. Field,	Morton P. Moore,	Marcus L. Williams—53.
Edgar B. Gaither,	Joel Murphy,	

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Logan moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Provided, That the lottery privileges hereby granted, shall be extended to each and all the Common Schools in this State, and to such other corporations as desire them.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to divide the State into twelve Circuit Court Judicial Districts.

The question was again taken, shall the bill pass? and it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. McElroy and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
Wm. H. Calvert,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Robert English,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
Norvin Green,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Burwell C. Ritter,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams,
James T. Woodward—44.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
William Beeler,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H—47.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to divide the State into four districts for the election of Judges of the Court of Appeals.

An act to revive the corporate powers and to authorize the re-building of the Meeting House of Mount Tabor Church, in Estill county.

An act to amend an act incorporating the Lexington and Frankfort Turnpike Road.

An act to change the limits of the town of Lawrenceburg.

An act for the benefit of the Sheriff of Anderson county.

An act for the benefit of the citizens of the town of Burksville.

An act to amend the charter of the Eagle Creek, New Liberty, Owenton, and Scott County Line Turnpike or Plank Road Company.

An act giving the Meade County Court jurisdiction of part of the Salt river and Bowlinggreen road.

An act for the benefit of William M. Fox, Clerk of the Pulaski Circuit and County Courts.

An act to authorize the Spencer County Court to sell the Poor House tract of land in said county.

An act to enlarge the jurisdiction of the Police Judge of the town of Hartford.

An act to incorporate Bedford Lodge, No. 158, of Free and Accepted Masons.

An act to incorporate Bullitt Lodge, No. 155, of Free and Accepted Masons.

An act to authorize the running and re-marking the boundary lines of Butler county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Rogers moved to discharge the committee of the whole from the further consideration of the resolution of the committee on Education, moved on the 17th of December last.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the same be made the special order for Monday next, at 10 o'clock, A. M.

On motion of Mr. Leslie,

Ordered, That leave of absence, until Tuesday next, be granted to Mr. W. M. Green.

On motion of Mr. Hord,

Ordered, That leave of absence be granted to Mr. Gaither until Tuesday next.

The House then took up the preamble and resolution presented by Mr. Payne, on the 9th of December last.

The said resolution was then amended by adding the following, viz:

Resolved, That the Governor be requested to forward to each of our Senators and Representatives in Congress, a copy of the foregoing preamble and resolution.

Mr. Logan moved to lay said preamble and resolution, as amended, on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Athey, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
William H. Gardner,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams—44.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
Wm. M. Green,
Samuel Hanson,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
George W. Williams, of B.
G. W. Williams, of H,
James T. Woodward—46.

Mr. Garrett moved to amend said preamble and resolution, by adding to the first resolution the following, viz:

"That in case Congress makes the appropriation required by this resolution, one-tenth part of the sum be appropriated for the improvement of the downward navigation of Big Sandy river."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the preamble and resolutions, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Gilmore, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
Robert A. Athey,
Wm. Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
William M. Gray,
William M. Green,
Samuel Hanson,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Andrew S. Linn,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—48.

Those who voted in the negative, were

James B. Allen,
R. T. Baker,
William S. Black,
William Bradley,
Carlo B. Brittain,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
William H. Gardner,
Bernard H. Garrett,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
William Preston,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams—42.

On motion of Mr. A. H. Talbott,

Ordered, That leave of absence be granted to Mr. Geiger indefinitely.

And then the House adjourned.

SATURDAY, FEBRUARY 1, 1851.

1. Mr. Lashbrooke presented the petition of citizens of the Sardis voting precinct, in Mason county, praying the passage of a law changing the place of voting in said town.

2. Mr. N. Green presented the petition of John L. McCann, praying the passage of a law permitting him to peddle without paying for a license.

3. Mr. Lashbrooke presented the petition of citizens of Mason county, praying the passage of an act making retailers of intoxicating drinks responsible for any injury sustained in consequence of said vending.

4. Mr. Rowlett presented the petition of R. L. Edwards, praying a change in the place of voting in a voting district in Owen county.

5. Mr. Bradley presented the petition of Jesse E. Oldham, praying he may be permitted to sell spirituous liquors without obtaining a license.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Privileges and Elections; and the 2d, 3d, and 5th to the committee on Ways and Means.

On motion of Mr. Morrow,

Ordered, That leave of absence until Monday, be granted to Mr. R. H. Campbell.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to organize County Courts in the several counties.

An act to amend the charter of the Cave Hill Cemetery.

An act to incorporate the Lexington Benevolent Female Society.

Mr. Rogers, from the committee on Education, to whom was referred bills from the Senate, of the following titles, viz:

1. An act to incorporate the Hopkinsville Baptist Female Institute.

2. An act requiring Assessors of Tax to return the names and post offices of the Deaf and Dumb children in the several counties.

Reported the 1st without, and 2d with an amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Rogers, from the same committee, to whom was referred a bill

from the Senate, entitled, an act for the benefit of certain School Districts in this State, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Rogers, from the same committee, to whom was referred a bill from the Senate, entitled, an act in relation to the Florence Academy, in Boone county, reported the same without amendment.

On motion of Mr. McElroy,

Ordered, That said bill be laid on the table.

An engrossed bill, entitled, an act providing for an election to be held for the location of the county seat of Owsley county, was read the third time.

Mr. Leslie moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brittain and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	John G. Gooch,	William B. Murphy,
James B. Allen,	Alfred F. Graham,	Benjamin L. Owens,
John B. Arnold,	Wm. H. Grainger,	Julian N. Phelps,
Robert A. Athey,	Wm. M. Gray,	William Preston,
William S. Black,	Norvin Green,	Thomas W. Riley,
John B. Bruner,	George M. Hampton,	Burwell C. Ritter,
George R. Burgess,	Samuel Hanson,	John Rodman,
Robert H. Campbell,	Randall G. Hays,	Joseph W. Rowlett,
Winston J. Davie,	Samuel B. Jesup,	John L. Sallee,
Asbury Dawson,	Samuel A. Kingman,	Basil G. Smith,
Joseph Dougherty,	Hiram Klette,	Elisha F. Wells,
Alvin Duvall,	Preston H. Leslie,	G. W. Williams, of H.
William H. Gardner,	Strother D. Mitchell,	Marcus L. Williams,
Bernard H. Garrett,	Morton P. Moore,	Edmund Wooldridge—44.
Squire Gatliff,	Joel Murphy,	

Those who voted in the negative, were

R. T. Baker,	Cyrenius W. Gilmore,	James P. Metcalfe,
William Beeler,	Thomas S. Grundy,	George H. Morrow,
Wm. Bradley,	Stilwell Heady,	Joel Owsley,
Carlo B. Brittain,	George W. Kavanaugh,	Thomas Y. Payne,
George I. Brown,	Daniel Landes,	Edward C. Purdy,
George P. Brown,	Peter Lashbrooke,	George W. Silvertooth,
William H. Calvert,	Joseph H. Lewis,	Ambrose H. Talbott,
Henry R. D. Coleman,	Andrew S. Linn,	Jesse S. Taylor,
John W. Cook,	Caleb W. Logan,	Wm. T. Terrill,

Lucius Desha,	George W. Mansfield,	Thomas Todd,
Edward F. Dulin,	Daniel Matthewson,	John Tompson,
Robert English,	Hiram McElroy,	Thomas W. Varnon,
Richard H. Field,	John S. McFarland,	James T. Woodward—39.

Resolved, That the title thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill to authorize the erection of a monument to the memory of Col. Richard M. Johnson, reported the same with an amendment in lieu of the original bill, which was concurred in.

The said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Mason Brown, John M. Hewitt, Edmund H. Taylor, and William Tanner, be and they are hereby appointed Commissioners, with authority to contract with Robert E. Launitz, for the erection of a monument over or near the grave of Col. Richard M. Johnson, in the Frankfort Cemetery, in accordance with the plan and proposal furnished by said Launitz to the committee on Military Affairs of the House of Representatives.

§ 2. That the chairman of the aforesaid committee, deliver into the hands of one of the Commissioners named in the first section of this act, the plan and proposal before named; and when the monument is completed, in accordance with the contract agreed upon, and that fact is certified to the Second Auditor, he is hereby authorized and directed to issue his warrant on the Treasurer for nine hundred dollars, to be paid out of any money in the Treasury not otherwise appropriated.

Mr. Grainger moved to amend said bill by inserting after "Robert E. Launitz," where it first occurs, the words "or any mechanics of this Commonwealth they may think proper;" add to the first section the words, "or any other the said Commissioners may adopt." Add to the bill the following section, viz:

§ 3. The Commissioners shall give a reasonable time for appropriate plans to be furnished by mechanics of this Commonwealth, before they shall conclude any contract for said monument, and give due notice in the public papers thereof.

Mr. A. H. Talbott moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Grainger be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grainger and Dulin, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Morton P. Moore,
Robert A. Athey,	George M. Hampton,	Wm. B. Murphy,
R. T. Baker,	Samuel Hanson,	Joel Owsley,
William Beeler,	Lysander Hord,	Thomas Y. Payne,

George P. Brown,
John B. Bruner,
George R. Burgess,
Henry R. D. Coleman,
John W. Cook,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Squire Gatliff,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
John L. Sallee,
George W. Silvertooth,
Ambrose H. Talbott,
William T. Terrill,
Elisha F. Wells,
Marcus L. Williams,
Edmund Wooldridge—49.

Those who voted in the negative, were

James M. Alexander,
Wm. W. Alexander,
James B. Allen,
John B. Arnold,
Wm. S. Black,
William Bradley,
George I. Brown,
William H. Calvert,
Winston J. Davie,
Lucius Desha,
Alvin Duvall,
William H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
William M. Gray,
Thomas S. Grundy,
Stilwell Heady,
George W. Kavanaugh,
Peter Lashbrooke,
George W. Mansfield,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Joseph W. Rowlett,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd.
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward—34.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William S. Black,
William Bradley,
George I. Brown,
George P. Brown,
George R. Burgess,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Alvin Duvall,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
George W. Mansfield,
Wm. B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
John Tompson,
Thomas W. Varnon,

Richard H. Field,	Hiram McElroy,	William T. Ward,
Wm. H. Gardner,	James P. Metcalfe,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Strother D. Mitchell,	Marcus L. Williams,
Alfred F. Graham,	Morton P. Moore,	James T. Woodward,
William H. Grainger,	George H. Morrow,	Edmund Wooldridge—60.

Those who voted in the negative, were

Wm. Beeler,	Squire Gatliff,	Joel Owsley,
John B. Bruner,	William M. Gray,	Julian N. Phelps,
William H. Calvert,	Preston H. Leslie,	Thomas W. Riley,
Henry R. D. Coleman,	Andrew S. Linn,	Burwell C. Ritter,
Asbury Dawson,	Caleb W. Logan,	John L. Sallee,
Joseph Dougherty,	Daniel Matthewson,	Basil G. Smith,
Edward F. Dulin,	John S. McFarland,	William T. Terrill,
Robert English,	Joel Murphy,	Elisha F. Wells—24.

Resolved, That the title thereof be as aforesaid.

Mr. Payne, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to incorporate the Breckinridge Savings Bank, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Payne, from the same committee, to whom was referred a bill to incorporate the Kentucky Savings Bank, at Louisville, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originaed in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Sheriff of Rockcastle county.

An act to revive the charter of the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of William C. Halbert, Sheriff of Lewis county.

An act to incorporate the Farmers' Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate certain Turnpike Road Companies in Montgomery county, and for other purposes, approved March 5, 1850.

An act for the benefit of Thomas L. Garrard, of Pendleton county.

An act for the benefit of the Sheriff of Knox county.

An act to amend the charter of the Lexington, Frankfort, and Versailles Turnpike Road Company.

An act in relation to the Magistrates' and Constables' Districts in Grant county.

An act to amend the acts incorporating the Fire Department of the city of Louisville.

An act for the benefit of the Sheriff of Kenton county.

An act for the benefit of the Sheriff of Taylor county.

An act for the benefit of the Sheriff of Bath county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Lashbrooke, from the committee on the Penitentiary, to whom was referred a bill from the Senate, entitled, an act to prevent the close shaving of the heads of convicts in the Penitentiary, reported the same with the following amendment, viz:

And that the Keeper of the Penitentiary shall not be permitted to correspond nor associate, in any way, with any convict that has or hereafter may be discharged or released from the Penitentiary, either male or *female*.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. T. Todd moved a reconsideration of the vote ordering said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Mr. Lashbrooke then withdrew said amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Woodward moved the following resolution, viz:

Resolved, That the committee on Privileges and Elections be instructed to inquire into the propriety of reporting a bill, providing that the Assessors of Tax elected in May, 1851, shall enter upon the duties of their office on the 10th day of January, 1852.

Which was adopted.

Mr. Hanson moved the following resolution, viz:

Resolved, That the Secretary of State be requested to lay before this House, a statement of the names of the counties from which Commissioners' reports of Magistrates Districts have been made to his office.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—1. A bill for the benefit of Common Schools in Hart county, and for the benefit of Common School Districts, No. 33, Casey county; 20, Fulton county; 11, Bath county; 19, and 26, Owen county; 6, Clay county; 13, Johnson county; 36, Graves county; 28, Washington county, and two districts in Henry county.

By same—2. A bill to amend the Common School Laws.

By the committee on Banks—3. A bill to incorporate the Lexington Savings Institution.

By the committee on the Court of Appeals—4. A bill to provide for a special Court of Appeals.

By the committee on County Courts—5. A bill to change a part of the State road from Canton to Hickman.

By Mr. Kavanaugh—6. A bill to incorporate the Peach Orchard Coal Company.

By the committee on County Courts—7. A bill to create two additional Magistrates' and Constables' Districts in Oldham county.

By Mr. Morrow—8. A bill giving to the Clerk of the McCracken Circuit and County Courts further time to list his fee bills.

By Mr. Hampton—9. A bill to surrender to the county of Bath so much of the Owingsville and Big Sandy Turnpike Road as runs through said county.

By Mr. Bruner—10. A bill in relation to Flint Island School District, No. 5, in Breckinridge county.

By Mr. Athey—11. A bill to incorporate Lexington Division, No. 21, Sons of Temperance.

By Mr. Silvertooth—12. A bill for the benefit of the Justices of the Hickman County Court.

By same—13. A bill to re-organize and regulate the office of Police Judge, in the town of Hickman.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 11th, 12th, and 13th, were severally ordered to be engrossed and read a third time; the 9th was referred to the committee on Internal Improvement, and the 10th to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 11th, 12th, and 13th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kavanaugh—1. A bill for the benefit of Francis McCalla, of Anderson county.

On motion of same—2. A bill to incorporate Wildey Lodge, No. 40, Independent Order of Odd Fellows, at Lawrenceburg.

On motion of Mr. Williams, of Bourbon—3. A bill to equalize the tax on the Louisville and Frankfort, and Covington and Lexington Railroads, with the tax on other Railroads in this Commonwealth.

On motion of Mr. Calvert—4. A bill granting an additional Justices' District to the county of Caldwell, to be located between the Cumberland and Tennessee rivers.

On motion of Mr. Davie—5. A bill vesting in the several County Courts power to make alterations in the Justices' Districts which may hereafter be required.

On motion of Mr. Hanson—6. A bill to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts, on the *ad valorem* principle.

On motion of Mr. Moore—7. A bill to extend the limits of the town of Irvine, in Estill county.

Ordered, That the committee on Claims prepare and bring in the 1st; Messrs. Kavanaugh, Calvert, and Klette, the 2d; the committee on Internal Improvement the 3d; Messrs. Calvert, Hawkins, and Burgess, the 4th; the committee on County Courts the 5th; the committee on the Judiciary the 6th, and Messrs. Moore, Woodward, and Gatliff, the 7th.

On motion of Mr. Silvertooth,

Ordered That the select committee be discharged from the further consideration of the petition of sundry citizens of the town of Clinton, praying the passage of a law to prohibit the vending of ardent spirits in said town, and that the same be referred to the committee on Propositions and Grievances.

On motion of Mr. Davie,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of the petition and remonstrance of sundry citizens of Hopkinsville, in relation to the boundaries of said town.

Mr. Davie asked leave to withdraw said petition and remonstrance, which was granted, and the same were withdrawn.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act declaring Little Sandy navigable to the mouth of Laurel Creek, in Morgan county.

An act to amend an act to incorporate the town of Mayslick, in Mason county, approved February 1, 1837.

An act to incorporate the Richmond and Irvine Plank Road Company.

An act to regulate the sale of the estates of persons of unsound mind.

An act for the benefit of the Estill Seminary.

An act for the benefit of Robert Kinkead.

An act to incorporate the Mount Zion Cumberland Presbyterian Church, in Henderson county.

An act for the benefit of Horatio Fields, the son of Thomas I. Fields, of Bath county.

An act to amend the charter of the city of Augusta.

An act for the benefit of the heirs of James G. Hazelrigg, deceased.

An act disposing of the vacant lands in Floyd county.

An act to incorporate the Liberty and Hustonville Turnpike Road Company.

An act to incorporate the Mayslick and Sardis Turnpike Road Company.

An act to repeal an act establishing a Police Court in the town of Hardinsburg.

An act for the benefit of School District, No. 29, in Owen county.

An act to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

An act to legalize an order of the Fulton County Court, in changing a road.

An act for the benefit of the Sheriff of Grant county.

An act to incorporate the town of Clementsburg, in Crittenden county.

An act to legalize an order of the Hickman County Court, appointing an agent to sell Seminary lands.

An act to extend the provisions of an act, entitled, an act regulating the price of taking up boats on the Ohio river, approved January 29, 1829.

An act to authorize taxation to build a school house in district No. 25, in Lewis county.

An act to amend an act, entitled, an act to incorporate the several Masonic Institutions of the city of Louisville.

An act to incorporate Harvey McGuire Lodge, No. 209, of Free and Accepted Masons. Approved January 25, 1851.

An act to amend an act in relation to the Seminary lands of Lewis county.

An act for the benefit of William Gracy.

Approved January 30, 1851.

And then the House adjourned.

MONDAY, FEBRUARY 3, 1851.

1. Mr. McFarland presented a petition of sundry citizens of Daviess county, praying the passage of an act to encourage the construction of Plank Roads.

2. Also, a petition from citizens of Daviess county, praying a change in a district for the election of Magistrates and a Constable, so as to make the voting place at the town of Calhoon.

3. Mr. Allen presented the petition of J. B. Allen, praying the passage of an act to endow Greenwood Seminary, in Henderson county, and to grant it lottery privileges.

4. Mr. Bradley presented a petition from citizens of Hopkins county, remonstrating against the passage of an act repealing an act declaring Pond river navigable above Clark's ferry.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Internal Improvement; the 2d to the committee on Ways and Means, and the 3d to the committee on Education.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to condemn land in Fleming county for a burial ground.

An act for the benefit of Caroline Ellis and others.

An act for the benefit of George Johnson, of Morganfield.

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Road Company.

An act to amend an act establishing the Covington Commercial College.

An act in relation to Magistrates' and Constables' Districts in Christian county.

An act in relation to Magistrates' and Constables' Districts in Logan county.

An act for the benefit of the widow and heirs at law of Samuel Scott, deceased.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act in relation to Magistrates' and Constables' Districts, in Henry and Laurel counties.

An act to authorize the county of Fayette and city of Lexington to subscribe stock in Railroad Companies.

An act to incorporate Wayne Lodge, No. 119, of Free and Accepted Masons. Approved January 30, 1851.

Mr. Leslie moved the following resolution, viz:

Resolved, That all the standing committees of this House are instructed to not report any bill, of a merely local or individual character, until all the measures of a general nature, commanded in the Constitution to be acted upon, are disposed of.

Mr. McFarland moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Morton P. Moore,
James M. Alexander,	Wm. M. Gray,	George H. Morrow,
John B. Arnold,	Norvin Green,	Joel Murphy,
Robert A. Athey,	Thomas S. Grundy,	Benjamin L. Owens,
R. T. Baker,	George M. Hampton,	Julian N. Phelps,
William Beeler,	Samuel Hanson,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	C. C. Rogers,
George P. Brown,	Stilwell Heady,	Joseph W. Rowlett,
John B. Bruner,	Lysander Hord,	George W. Silvertooth,
George R. Burgess,	George W. Kavanaugh,	Albert G. Talbott,
Wm. H. Calvert,	Hiram Klette,	Ambrose H. Talbott,
Joseph Dougherty,	Peter Lashbrooke,	Jesse S. Taylor,
Edward F. Dulin,	Joseph H. Lewis,	William T. Terrill,
Alvin Duvall,	George W. Mansfield,	Thomas W. Varnon,
Bernard H. Garrett,	Daniel Matthewson,	Elisha F. Wells,
Squire Gatliff,	John S. McFarland,	George W. Williams, of B.
Cyrenius W. Gilmore,	James P. Metcalfe,	G. W. Williams, of H.
John G. Gooch,	Strother D. Mitchell,	James T. Woodward—55.
Alfred F. Graham,		

Those who voted in the negative, were

James B. Allen,	Robert English,	Burwell C. Ritter,
William S. Black,	Samuel B. Jesup,	John Rodman,
William Bradley,	Samuel A. Kingman,	John L. Sallee,
Carlo B. Brittain,	Daniel Landes,	John Shawhan,
Henry R. D. Coleman,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Andrew S. Linn,	Thomas Todd,
Winston J. Davie,	Hiram McElroy,	John Tompson,
Asbury Dawson,	Joel Owsley,	William T. Ward—26.
Lucius Desha,	Thomas W. Riley,	

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Pulaski county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Bradley, from the same committee, to whom was referred the petition of Isom L. Vanarsdall, asked to be discharged from the further consideration of the same, which was granted.

The Speaker laid before the House, the response of the Secretary of State to the resolution proposed by Mr. Hanson, on Saturday last, which is as follows, viz:

Gentlemen of the House of Representatives:

I have received reports of the Commissioners, appointed to lay off the several counties of the State into districts for the election of Justices of the Peace and Constables, from the following counties:

Adair,
Allen,
Anderson,
Boyle,
Bullitt,
Bourbon,
Barren,
Breckinridge,
Boone,
Breathitt,
Bath,
Butler,
Crittenden,
Carroll,
Clinton,
Casey,
Cumberland,
Calloway,
Clarke,
Caldwell,
Christian,
Daviess,
Edmonson,
Estill,
Fayette,
Fulton,
Franklin,
Floyd,
Gallatin,
Graves,
Grant,
Grayson,
Garrard,
Greenup,
Green,
Hopkins,
Henderson,
Hardin,
Henry,
Harlan,
Hart,
Harrison,
Hancock,
Hickman,
Johnson,
Kenton,
Knox,
Larue,
Laurel,
Lewis,
Lawrence,
Lincoln,
Livingston,
Muhlenburg,
Madison,
Montgomery,
Mercer,
Marion,
Marshall,
Monroe,
Mason,
Meade,
Morgan,
Nelson,
Newport, city of,
Nicholas,
Owen,
Oldham,
Ohio,
Pendleton,
Pike,
Russell,
Simpson,
Spencer,
Scott,
Shelby,
Todd,
Taylor,
Trigg,
Trimble,
Union,
Whitley,
Woodford,
Wayne,
Washington.

JOHN W. FINNELL, *Secretary of State.*
By E. R. Smith, *Assistant Secretary.*

February 3, 1851.

Mr. Bradley, from the committee on Propositions and Grievances, reported a bill to establish District No. 7, in the county of Laurel, and for other purposes, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Garrett moved a reconsideration of the vote passing a bill providing for an election to be held for the location of the county seat of Owsley county.

Ordered, That the further consideration of said motion be postponed for the present.

Bills from the Senate of the following titles, viz:

1. An act in relation to Magistrates' and Constables' Districts in Christian county.

2. An act for the benefit of the widow and heirs at law of Samuel Scott, deceased.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was ordered to be read a third time, and the 2d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House took up the resolution proposed by the committee on Education, on the 17th of December last.

Mr. Riley moved to amend said resolution by substituting in lieu thereof the following, viz:

That the Legislature has no power to pass any law or resolution diminishing the resources of the Sinking Fund, or diverting the same from the payment of the principal and interest of the public debt of the State.

That it is the duty of the General Assembly to make provision, by law, for the payment of the interest on the Common School Fund.

Mr. Metcalfe moved to amend the amendment of Mr. Riley by substituting the following, viz:

That, in the opinion of the Legislature, the act approved March 1, 1850, chapter 207, entitled, an act to provide for the payment and investment of the interest on the bonds of the State of Kentucky, held by the Board of Education, &c., &c., which relates to the liability of the Sinking Fund to the payment of the interest upon the bonds of the State of Kentucky, held by the Board of Education, is constitutional; and it sufficiently provides for the payment of the interest on the bonds of the State, held by the Board of Education; and the Commissioners of the

Sinking Fund are hereby directed to go on, as heretofore, in the complete execution of the provisions of that act, as far as applies to them, in good faith.

And then the House adjourned.

TUESDAY, FEBRUARY 4, 1851.

Mr. Metcalfe presented the petition of John Clay, of Nicholas county, praying further time to collect arrearages of taxes and fee bills due him; which was received, the reading dispensed with, and referred to the committee on Ways and Means.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act in relation to the town of Glasgow, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the same committee, to whom was referred the petition of sundry citizens of Johnson, Floyd, and Morgan counties, praying the establishment of a new county, asked to be discharged from the further consideration of the same.

Whereupon, Mr. Garrett moved the following resolution, viz:

Resolved, That the committee on Propositions and Grievances, to whom has heretofore been referred the petition of sundry citizens of Morgan, Floyd, and Johnson, praying the establishment of a new county, be instructed that, in the opinion of this House, the notice given is sufficient.

And the question being taken on adopting the same, it was decided in the affirmative.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate the Peach Orchard Coal Company.

An act to create two additional Magistrates' and Constables' Districts in Oldham county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Mayfield Presbyterial Seminary.

An act to incorporate the Ciceronian Society of Shelby College.

An act to allow an additional Magistrates' and Constables' District in Pulaski county.

An act for the benefit of the Board of Trustess of Common Schools for the city of Covington.

Mr. Desha, from the committee on Claims, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of David A. Knox.

An act for the benefit of John B. Whalen, of Marion county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Desha, from the same committee, to whom was referred the petition of William Simons, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition of George W. Harris, and the petition of J. T. Daviess and wife, asked to be discharged from the further consideration of the same, which was granted.

On motion of Mr. Duvall,

Leave was granted to withdraw the petition of J. T. Daviess and wife, and the same was withdrawn.

A bill from the Senate, entitled, an act to organize County Courts in the several counties, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole, and made the special order with the bill from this House to organize County Courts in the several counties.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts incorporating the Franklin Fire, Marine, and Life Insurance Company, of Louisville.

An act to incorporate Phœnix Lodge, No. 28, of the Independent Order of Odd Fellows.

An act to incorporate Warren Lodge, No. 53, of Free and Accepted Masons, and Daviess Chapter, No. 29.

An act for the benefit of Lucretia Stephens, administratrix of James Stephens, deceased.

An act to authorize the Clerk of the Allen Circuit Court to transmit certain papers, now in his possession, to the Clerk of the Barren Circuit Court.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill extending the limits of the town of Shelbyville, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—1. A bill for the benefit of A. H. Poston.

By same—2. A bill for the benefit of Hial Stephens.

By the committee on the Judiciary—3. A bill to establish the town of Beatty, in the county of Owsley.

By same—4. A bill to authorize the Trustees of the town of Cadiz to sell a part of Main or Washington street in said town.

By same—5. A bill to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts on the *ad valorem* principle.

By the committee on Ways and Means—6. A bill for the benefit of the Sheriffs of Owen, Daviess, and Monroe counties.

By Mr. Moore—7. A bill to extend the limits of the town of Irvine.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of the 3d, 4th, 5th, 6th, and 7th bills having been dispensed with, the 3d, 4th, 6th, and 7th bills were severally ordered to be engrossed and read a third time, and the 5th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of

the 3d, 4th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, reported a bill to amend an act, entitled, an act to incorporate the Lexington Fire, Life, and Marine Insurance Company, approved March 1, 1836, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to incorporate the Lexington Fire, Life, and Marine Insurance Company, approved March 1, 1836, be so amended as to authorize said corporation to buy, sell, and otherwise deal in foreign and domestic bills of exchange.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Garrett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Thomas S. Grundy,	Benjamin L. Owens,
James M. Alexander,	George M. Hampton,	Thomas Y. Payne,
John B. Arnold,	Samuel Hanson,	Julian N. Phelps,
R. T. Baker,	Stilwell Heady,	Edward C. Purdy,
William Beeler,	Lysander Hord,	Thomas W. Riley,
William S. Black,	George W. Kavanaugh,	Burwell C. Ritter,
George I. Brown,	Samuel A. Kingman,	John Rodman,
John B. Bruner,	Hiram Klette,	C. C. Rogers,
William H. Calvert,	Daniel Landes,	George W. Silvertooth,
Edward F. Dulin,	Peter Lashbrooke,	Basil G. Smith,
Alvin Duvall,	Andrew S. Linn,	Ambrose H. Talbott,
Robert English,	Caleb W. Logan,	Jesse S. Taylor,
William H. Gardner,	George W. Mansfield,	Wm. T. Terrill,
Cyrenius W. Gilmore,	John S. McFarland,	Thomas Todd,
John G. Gooch,	James P. Metcalfe,	George W. Williams, of B.
Wm. H. Grainger,	Morton P. Moore,	G. W. Williams, of H.
Wm. M. Gray,	George H. Morrow,	James T. Woodward,
Norvin Green,	Joel Murphy,	Edmund Wooldridge—55.
William M. Green,		

Those who voted in the negative, were

James B. Allen,	Joseph Dougherty,	Joel Owsley,
Wm. Bradley,	Bernard H. Garrett,	Joseph W. Rowlett,
Carlo B. Brittain,	Squire Gatliff,	John L. Sallee,
Henry R. D. Coleman,	Alfred F. Graham,	John Shawhan,

55

John W. Cook, Preston H. Leslie, John F. Todd,
Asbury Dawson, Daniel Matthewson, John Tompson—19.
Lucius Desha,

Resolved, That the title thereof be as aforesaid.

The House again resumed the consideration of the resolution of the committee on Education, of the 17th December last, and the amendment proposed by Mr. Riley, and the amendment of Mr. Metcalfe to the amendment of Mr. Riley.

On the motion of Mr. Hanson,

Ordered, That said resolution and amendments be laid on the table for the present.

Leave was given to bring in the following bills, viz:

On motion of Mr. Davie—1. A bill to incorporate the Green River Lodge, No. 54, I. O. O. F.

On motion of Mr. Brittain—2. A bill for the benefit of certain School Districts in Harlan county.

On motion of Mr. Logan—3. A bill to incorporate the Medico Chirurgical Society of the Kentucky School of Medicine in the city of Louisville.

On motion of Mr. Varnon—4. A bill to amend an act for the benefit of Mary Ridge and Maria Davenport, approved February 9, 1850.

On motion of Mr. Klette—5. A bill to allow an additional Constable in Kenton county, who shall reside in the town of Independence.

Ordered, That Messrs. Davie, Athey, and Williams, of Bourbon, prepare and bring in the 1st; the committee on Education the 2d and 3d; the committee on the Judiciary the 4th, and Messrs. Klette, Linn, and Baker, the 5th.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to provide for the payment of the interest on the School Fund.

The said bill was then read the first time as follows, viz:

Whereas, doubts are entertained in regard to the liability of the Sinking Fund for the payment of the principal and the interest of the School Fund: Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Sinking Fund is liable to the payment of the principal and the interest of the Common School Fund; and the Commissioners of the Sinking Fund are hereby directed to pay, as heretofore, the interest on the School Fund, out of any moneys in their hands belonging to said Sinking Fund, in execution of an act to provide for the payment and investment of the interest of the bonds of the State of Kentucky, held by the Board of Education, &c., &c., approved March 1, 1850.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Rogers moved to amend said bill by substituting in lieu thereof the following, viz:

Whereas, doubts exist as to the liability of the Sinking Fund for the payment of the interest on the bonds of the State of Kentucky, held by the Board of Education:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be and they are hereby directed to pay, as heretofore, the interest on the bonds of the State of Kentucky, held by the Board of Education, out of any moneys in their hands belonging to said Sinking Fund, in execution of an act, entitled, an act to provide for the payment and investment of the interest on the bonds of the State of Kentucky, held by the Board of Education, and for the amendment of the laws concerning Common Schools, approved March 1, 1850.

Mr. W. M. Green moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Rogers be adopted? and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. I. Brown and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Benjamin L. Owens,
James M. Alexander,	Wm. M. Gray,	Joel Owsley,
William W. Alexander,	Norvin Green,	Thomas Y. Payne,
James B. Allen,	Wm. M. Green,	Julian N. Phelps,
John B. Arnold,	Thomas S. Grundy,	William Preston,
Robert A. Athey,	George M. Hampton,	Edward C. Purdy,
William Beeler,	Samuel Hanson,	Burwell C. Ritter,
William S. Black,	Randall G. Hays,	John Rodman,
Carlo B. Brittain,	Stilwell Heady,	C. C. Rogers,
George P. Brown,	Lysander Hord,	Joseph W. Rowlett,
John B. Bruner,	Samuel B. Jesup,	John L. Sallee,
George R. Burgess,	Samuel A. Kingman,	John Shawhan,
Robert H. Campbell,	Hiram Klette,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
John W. Cook,	Peter Lashbrooke,	Albert G. Talbott,
Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Lucius Desha,	Andrew S. Linn,	Jesse S. Taylor,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Alvin Duvall,	Daniel Matthewson,	John F. Todd,

Richard H. Field,	Hiram McElroy,	John Tompson,
Edgar B. Gaither,	James P. Metcalfe,	Thomas W. Varnon,
Bernard H. Garrett,	Strother D. Mitchell,	William T. Ward,
Squire Gatliff,	Morton P. Moore,	George W. Williams, of B.
Cyrenius W. Gilmore,	George H. Morrow,	Marcus L. Williams—74.
John G. Gooch,	Joel Murphy,	

Those who voted in the negative, were

R. T. Baker,	Robert English,	John S. McFarland,
William Bradley,	William H. Gardner,	Thomas W. Riley,
George I. Brown,	George W. Kavanaugh,	Thomas Todd,
Wm. H. Calvert,	Joseph H. Lewis,	G. W. Williams, of H.
Winston J. Davie,	Caleb W. Logan,	James T. Woodward—16.
Edward F. Dulin,		

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, FEBRUARY 5, 1851.

1. Mr. Bradley presented the petition of sundry citizens of Madisonville, praying the passage of a law for the government of said town.

2. Mr. Silvertooth presented the remonstrance of citizens of the town of Clinton, against the passage of a law prohibiting the sale of ardent spirits.

3. Also, the petition of Hickman Lodge, No. 131, praying an act of incorporation.

4. Mr. Matthewson presented the petition of sundry citizens of Calloway county, praying an extension of the terms of the Circuit Court in said county.

5. Mr. A. H. Talbott presented the petition of Green Hill, praying compensation for keeping an idiot.

6. Mr. Williams, of Bourbon, presented the petition of sundry citizens of Bourbon county, praying the passage of a law to prevent fishing in Stoner's Fork of Licking, except by hook and line.

7. Also, the remonstrance of Robert McMillan against the passage of said law.

8. Mr. Williams, of Hancock, presented the petition of Frederick and

James Boyd, praying an act of incorporation for the purpose of coal mining.

9. Mr. N. Green presented the petition of A. Ronner, praying that Sligo Division, Sons of Temperance, may be incorporated.

Which were received, the reading dispensed with, and referred—the 1st, 8th, and 9th, to the committee on the Judiciary; the 2d, 6th, and 7th to the committee on Propositions and Grievances; the 3d to Messrs. Silvertooth, Cook, and Field; the 4th to the committee on Circuit Courts; and the 5th to the committee on Claims.

Mr. Desha asked leave to withdraw the petition of David Woodruff, and the petition of Henry Kaufman, which was granted, and the same were withdrawn.

Bills from the Senate of the following titles, viz:

1. An act to run and re-mark the boundary lines between the counties of Lewis and Mason.

2. An act to change the place of voting from Mason Gardner's to John F. Blandford's, in Marion county.

3. An act to incorporate Salt River Lodge, No. 180, in the town of Mount Washington, in Bullitt county.

4. An act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

5. An act for the benefit of Samuel G. Mullens, of Mercer county.

6. An act to amend the charter of the Cave Hill Cemetery.

7. An act to incorporate the Lexington Benevolent Female Society.

8. An act for the benefit of Caroline Ellis and others.

9. An act to condemn land in Fleming county for a burial ground.

10. An act for the benefit of George Johnson, of Morganfield.

11. An act to amend the charter of the Lebanon and Bradfordsville Turnpike Road Company.

12. An act to amend an act establishing the Covington Commercial College.

13. An act in relation to Magistrates' and Constables' Districts in Logan county.

14. An act to incorporate the Mayfield Presbyterial Seminary.

15. An act to incorporate the Ciceronian Society of Shelby College.

16. An act to allow an additional Magistrates' and Constables' District in Pulaski county.

17. An act for the benefit of the Board of Trustess of Common Schools for the city of Covington.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 9th were referred to the committee on Propositions and Grievances; the 2d to the committee

on Privileges and Elections; the 3d, 6th, 7th, 8th, 12th, and 14th, to the committee on the Judiciary; the 4th and 11th to the committee on Internal Improvement; the 5th to the committee on Claims; the 10th to the committee on Ways and Means; the 13th, 15th, and 16th, were severally ordered to be read a third time; and the 17th was referred to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 13th, 15th, and 16th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House of the following titles, viz:

An act to incorporate Magnolia Lodge, No 201, of Free and Accepted Masons.

An act to incorporate Warren Lodge, No. 110, of Free and Accepted Masons.

An act to incorporate the Mount Gilead and Mount Carmel Turnpike Road Company.

An act to authorize the Bracken County Court to subscribe to a Turnpike Road leading from the county seat to Germantown.

An act to incorporate the Deposit Bank of Paris, Bourbon county.

An act to incorporate the Marine Insurance Company, at Paducah.

An act to authorize the County Court to change the names of persons.

An act to establish the town of Crittenden, in the counties of Grant, Boone, and Kenton, and for other purposes.

An act to create two additional Magistrates' and Constables' Districts in Oldham county.

Were taken up, twice read, and concurred in.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the South Elkhorn and Midway Turnpike Road Company.

An act to incorporate the New Liberty and Kentucky River Turnpike Road Company.

An act to incorporate the Lexington Savings Institution.

An act to regulate tolls on Turnpike Roads in Kenton county.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Louisville and Mississippi, or Ohio River Railroad Company.

An act to provide for the interment of the remains of the Kentuckians who fell at Raisin.

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

Mr. Baker, from the committee on Internal Improvement to whom was referred bills of the following titles, viz:

A bill to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and declare the same a county road.

A bill to repeal, in part, the law establishing the road from London, by way of Williamsburg, to the Tennessee line.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the Lexington and Covington Turnpike Road Company.

An act to amend the charter of the Bank Lick Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the same committee, to whom was referred the petition of sundry citizens of Owsley, Fayette, Clarke, and Estill counties, asked to be discharged from the further consideration of the same.

Whereupon, Mr. Athey moved the following resolution:

Resolved, That the committee on Internal Improvement are instructed to report a bill, appropriating the sum of $500 for the removal of a rock at what is called the "Rock Shoal," at the mouth of Contrary Creek, in the Kentucky river, within the boundary of Owsley county.

And the question being taken on adopting the same, it was decided in the negative.

Ordered, That said committee be discharged.

Mr. Rogers, from the committee on Education, to whom was referred a bill in relation to Flint Island School District, No. 5, in Breckinridge county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Payne, from the committee on Banks, to whom was referred a bill to amend the charter of the Farmers' Bank of Kentucky, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—1. A bill to incorporate the Medico Chirurgical Society of the Kentucky School of Medicine, in the city of Louisville.

By Mr. A. H. Talbott—2. A bill to amend an act, entitled, an act to protect the rights of married women, approved February 23, 1846.

By Mr. Arnold—3. A bill to amend an act, entitled, an act to incorporate the town of Lancaster.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d and 3d were referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the first bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. M. Green, from the committee on Printing, reported a bill providing for the printing and distribution of the acts of the General Assembly, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. T. Todd moved to lay said bill on the table.

The hour of 11 o'clock having arrived, the House proceeded to the orders of the day.

The House then resolved itself into a committee of the whole, on the bill to apportion representation, Mr. Leslie in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Leslie re-

ported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

At a quarter after 3 o'clock, P. M., Mr. Athey moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Athey and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Winston J. Davie,	Edward C. Purdy,
Robert A. Athey,	Bernard H. Garrett,	James T. Woodward—8.
Robert H. Campbell,	Thomas S. Grundy,	

Those who voted in the negative, were

James B. Allen,	William M. Gray,	Joel Owsley,
John B. Arnold,	William M. Green,	Thomas Y. Payne,
R. T. Baker,	George M. Hampton,	Julian N. Phelps,
William Beeler,	Samuel Hanson,	Thomas W. Riley,
Carlo B. Brittain,	Wm. Harris,	Burwell C. Ritter,
John B. Bruner,	Randall G. Hays,	John Rodman,
George R. Burgess,	Stilwell Heady,	Joseph W. Rowlett,
Alexander P. Churchill,	Lysander Hord,	John L. Sallee,
Henry R. D. Coleman,	Daniel Landes,	John Shawhan,
John W. Cook,	Preston H. Leslie,	George W. Silvertooth,
Asbury Dawson,	Joseph H. Lewis,	Basil G. Smith,
Lucius Desha,	Andrew S. Linn,	Ambrose H. Talbott,
Joseph Dougherty,	George W. Mansfield,	Jesse S. Taylor,
Edward F. Dulin,	Daniel Matthewson,	William T. Terrill,
Alvin Duvall,	Hiram McElroy,	John F. Todd,
Robert English,	John S. McFarland,	Thomas Todd,
Richard H. Field,	James P. Metcalfe,	John Tompson,
Edgar B. Gaither,	Morton P. Moore,	William T. Ward,
Cyrenius W. Gilmore,	George H. Morrow,	George W. Williams, of B.
Alfred F. Graham,	Joel Murphy,	G. W. Williams, of H—62.
Wm. H. Grainger,	Benjamin L. Owens,	

Leave was given to bring in the following bills, viz:

On motion of Mr. Arnold—1. A bill to amend an act incorporating the Crab Orchard and Crew's Knob Turnpike Road, approved March 6, 1850.

On motion of Mr. Grainger—2. A bill to enact the charter of the city of Louisville.

Ordered, That Messrs. Arnold, W. M. Green, and Leslie, prepare and bring in the 1st; and the committee on the Judiciary the 2d.

And then the House adjourned.

THURSDAY, FEBRUARY 6, 1851.

1. Mr. Desha presented the petition of sundry citizens of Harrison county, praying the passage of an act to submit to the voters of said county, the question of removing the county seat.

2. Mr. Kingman presented the petition of sundry citizens of Caldwell county, in relation to a State road from Eddyville to Paducah.

3. Also, the petition of sundry citizens of Livingston county, in relation to the same subject.

4. Mr. Riley presented the petition of J. Wood Wilson, praying the passage of an act allowing slaves who are lunatics, to be received into the Lunatic Asylum.

5. Mr. Arnold presented the petition of the Trustees of the Franklin Female Institute, praying that lottery privileges may be granted them.

6. Mr. Moore presented the petition of the citizens of Proctor, in Owsley county, praying for a Police Judge.

7. Mr. Riley presented the petition of sundry citizens in Nelson county, praying a change of the time of holding the Spring term of said Court.

8. Mr. W. B. Murphy presented the petition of Orrin Percival, and sundry other citizens, praying that said Percival may be added to the county of Boone.

Which were received, the reading dispensed with, and referred—the 1st and 8th to the committee on Propositions and Grievances; the 2d and 3d to the committee on Internal Improvement; the 4th to the committee appointed to visit the Lunatic Asylum, at Lexington; the 5th to the committee on Education; the 6th to the committee on the Judiciary; and the 7th to Messrs. Riley, Wells, and English.

Mr. Linn moved a reconsideration of the vote concurring in the amendment proposed by the Senate, to a bill from this House, entitled, an act to establish the town of Crittenden in the counties of Grant, Boone, and Kenton, and for other purposes.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said amendment be referred to the committee on the Judiciary.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend an act giving to officers, crews, mechanics, and others, a lien on steamboats, approved January 28, 1839.

An act to incorporate the Kentucky Female College, at Greensburg.

An act to incorporate the Mayslick and Helena Turnpike Road Company.

An act to amend the law incorporating the Carrollton and Eagle Creek Turnpike Road Company.

An act to incorporate McKenzie Temple of Honor, No. 6.

An act in relation to the Seminary Fund of McCracken county.

An act for the benefit of the Sheriffs of Owen, Daviess, and Monroe counties.

An act for the benefit of the Trustees of Waidsboro'.

An act providing for the election of certain officers in the town of Paducah.

An act to incorporate Mayfield Lodge, No. 146, of Free and Accepted Masons.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Bowlinggreen and Tennessee Railroad Company.

An act to incorporate Germantown Lodge, No. 207, of Free and Accepted Masons.

The House again resumed the consideration of the bill providing for the printing and distribution of the acts of the General Assembly.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Public Printer hereafter be directed to print three hundred copies of the acts of the General Assembly; one copy to be distributed to each of the following officers, for the use of their office: Clerks of the County and Circuit Courts, Court of Appeals, General Court, Louisville Chancery Court, Auditor, Treasurer, Register of the Land Office, and Secretary of State; one copy to each of the United States; five copies to the General Government; and the remainder to the Public Library. He shall also print two thousand copies of the general laws, excluding all private and local acts, and acts of incorporation; to be distributed as heretofore provided by law.

Mr. T. Todd withdrew his motion to lay said bill on the table.

Mr. G. I. Brown then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Athey, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Cyrenius W. Gilmore,	George H. Morrow,
Robert A. Athey,	William M. Gray,	Joel Murphy,
Wm. Beeler,	George M. Hampton,	William B. Murphy,
Wm. Bradley,	Samuel Hanson,	Benjamin L. Owens,
Carlo B. Brittain,	William Harris,	Joel Owsley,
George I. Brown,	Randall G. Hays,	Thomas Y. Payne,
George P. Brown,	Stilwell Heady,	Julian N. Phelps,
John B. Bruner,	Hiram Klette,	C. C. Rogers,
George R. Burgess,	Peter Lashbrooke,	John Shawhan,
Robert H. Campbell,	Andrew S. Linn,	George W. Silvertooth,
George T. Campbell,	Caleb W. Logan,	Albert G. Talbott,
Alexander P. Churchill,	George W. Mansfield,	John Tompson,
Alvin Duvall,	Hiram McElroy,	G. W. Williams, of H—41.
Bernard H. Garrett,	Strother D. Mitchell,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	James P. Metcalfe,
James B. Allen,	Wm. H. Grainger,	Morton P. Moore,
John B. Arnold,	Norvin Green,	Edward C. Purdy,
R. T. Baker,	Wm. M. Green,	Thomas W. Riley,
Henry R. D. Coleman,	Thomas S. Grundy,	Burwell C. Ritter,
John W. Cook,	P. B. Hawkins,	John Rodman,
Winston J. Davie,	Lysander Hord,	Joseph W. Rowlett,
Asbury Dawson,	Samuel B. Jesup,	John L. Sallee,
Lucius Desha,	George W. Kavanaugh,	Basil G. Smith,
Joseph Dougherty,	Samuel A. Kingman,	Jesse S. Taylor,
Edward F. Dulin,	Daniel Landes,	William T. Terrill,
Robert English,	Preston H. Leslie,	John F. Todd,
Richard H. Field,	Joseph H. Lewis,	Thomas Todd,
Edgar B. Gaither,	William C. Marshall,	William T. Ward,
Squire Gatliff,	Daniel Matthewson,	George W. Williams, of B.
John G. Gooch,	John S. McFarland,	James T. Woodward—44.

Mr. Riley moved to amend said bill by adding the following section, viz:

It shall be the duty of the Clerks of the Circuit and County Courts to give certified copies of the private acts, not published, to any citizens of their respective counties, which copies shall be evidence within the county of the Clerk copying the same; and the several Clerks shall have the same fees for such copies, as they are entitled to by law for the certified copies of the records of their Courts.

Mr. Williams, of Bourbon, moved the following as a substitute for the amendment of Mr. Riley, viz:

Provided, That the Clerks of the Courts shall furnish the volume to any person who shall have use for the same before any Justice's Court in his county; to be returned again to the Clerk from whom the same is obtained.

Mr. Garrett moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and G. P. Brown, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	William M. Gray,	Joel Murphy,
William Beeler,	Samuel Hanson,	William B. Murphy,
William Bradley,	William Harris,	Benjamin L. Owens,
Carlo B. Brittain,	P. B. Hawkins,	Joel Owsley,
George I. Brown,	Randall G. Hays,	Thomas Y. Payne,
George P. Brown,	Hiram Klette,	Julian N. Phelps,
John B. Bruner,	Peter Lashbrooke,	C. C. Rogers,
George R. Burgess,	Andrew S. Linn,	John Shawhan,
William H. Calvert,	Caleb W. Logan,	George W. Silvertooth,
Robert H. Campbell,	George W. Mansfield,	Albert G. Talbott,
Alvin Duvall,	Hiram McElroy,	Ambrose H. Talbott,
Bernard H. Garrett,	Strother D. Mitchell,	John Tompson,
Cyrenius W. Gilmore,	Morton P. Moore,	G. W. Williams, of H.
Alfred F. Graham,	George H. Morrow,	Marcus L. Williams—42.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	James P. Metcalfe,
William W. Alexander,	William H. Grainger,	Edward C. Purdy,
James B. Allen,	Norvin Green,	Thomas W. Riley,
John B. Arnold,	William M. Green,	Burwell C. Ritter,
R. T. Baker,	Thomas S. Grundy,	John Rodman,
Henry R. D. Coleman,	Stilwell Heady,	Joseph W. Rowlett,
John W. Cook,	Lysander Hord,	John L. Sallee,
Winston J. Davie,	Samuel B. Jesup,	Basil G. Smith,
Asbury Dawson,	George W. Kavanaugh,	Jesse S. Taylor,
Lucius Desha,	Samuel A. Kingman,	Wm. T. Terrill,
Joseph Dougherty,	Daniel Landes,	John F. Todd,
Edward F. Dulin,	Preston H. Leslie,	Thomas Todd,
Robert English,	Joseph H. Lewis,	William T. Ward,
Richard H. Field,	William C. Marshall,	G. W. Williams, of B,
Edgar B. Gaither,	Daniel Matthewson,	James T. Woodward—47.
Squire Gatliff,	John S. McFarland,	

Mr. Williams, of Bourbon, then withdrew his amendment.

Mr. Riley then modified his amendment, and as modified, it reads as follows, viz:

§ 2. It shall be the duty of the Clerks of the Circuit and County Courts to give certified copies of such private acts, to any person demanding the same; which copies shall be evidence within the county of the Clerk copying it; *and the Clerks shall have the same fees for such copies, as they are entitled to by law for the certified copies of records of their office.*

Mr. Payne moved to amend the amendment of Mr. Riley by striking out all that part printed in *italics*.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Hays, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,
William Beeler,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
William Harris,
Randall G. Hays,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Thomas Y. Payne,
C. C. Rogers,
George W. Silvertooth,
William T. Terrill,
John Tompson,
G. W. Williams, of H.
Marcus L. Williams—29.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
R. T. Baker,
William Bradley,
George I. Brown,
Wm. H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
John G. Gooch,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
James T. Woodward—62.

The question was then taken on the adoption of the amendment of Mr. Riley, as modified, and it was decided in the affirmative.

The question was then taken on engrossing and reading said bill a third time, as amended, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. McFarland and G. P. Brown, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
R. T. Baker,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
John G. Gooch,
Norvin Green,
William M. Green,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
Basil G. Smith,
Ambrose H. Talbott,

Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
James T. Woodward—45.

Those who voted in the negative, were

James M. Alexander,
Robert A. Athey,
Wm. Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Joseph Dougherty,
Alvin Duvall,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Hiram McElroy,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
C. C. Rogers,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
John Tompson,
G. W. Williams, of H.
Marcus L. Williams—47.

The House then took up the motion of Mr. Garrett, to reconsider the vote passing the bill, entitled, an act providing for an election to be held for the location of the county seat of Owsley county.

And the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Coleman and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
R. T. Baker,
Wm. Beeler,
William Bradley,
Carlo B. Brittain,
George P. Brown,
William H. Calvert,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Cyrenius W. Gilmore,
William M. Green,
Thomas S. Grundy,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—44.

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Joel Murphy,
John B. Arnold,	John G. Gooch,	Wm. B. Murphy,
Robert A. Athey,	Alfred F. Graham,	Benjamin L. Owens,
George I. Brown,	William M. Gray,	Julian N. Phelps,
John B. Bruner,	Norvin Green,	Thomas W. Riley,
George R. Burgess,	George M. Hampton,	Burwell C. Ritter,
Robert H. Campbell,	Samuel Hanson,	John Rodman,
George T. Campbell,	William Harris,	C. C. Rogers,
Henry R. D. Coleman,	P. B. Hawkins,	Joseph W. Rowlett,
John W. Cook,	Samuel A. Kingman,	John L. Sallee,
Asbury Dawson,	Preston H. Leslie,	John Shawhan,
Edward F. Dulin,	John S. McFarland,	George W. Silvertooth,
Robert English,	Strother D. Mitchell,	Basil G. Smith,
Edgar B. Gaither,	Morton P. Moore,	Marcus L. Williams—44.
Bernard H. Garrett,	George H. Morrow,	

Mr. Riley, from the committee appointed to prepare and bring in the same, reported a bill to change the time of holding the February term of the Nelson Circuit Court, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the House an additional response of the Secretary of State, to the resolution of Mr. Hanson, which is as follows, viz:

Office of Secretary of State,
February 5, 1851.

Hon. George W. Johnston,
Speaker of the House of Representatives.

Since the report from this office, dated the 3d, we have received the reports of the Commissioners appointed to district the following counties: Bracken, Owsley, Ballard, Jessamine, Logan, Fleming, and Campbell.

Respectfully,
JNO. W. FINNELL, *Secretary of State.*

The House again resolved itself into a committee of the whole, on the bill to apportion representation, Mr. Leslie in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Leslie reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

FRIDAY, FEBRUARY 7, 1851.

1. Mr. Brittain presented the petition of sundry citizens of Knox county, praying a change in Magistrates' District, No. 7, in said county.

2. Mr. Gaither presented the petition of James A. Carr, and other citizens of Adair county, praying that the county line of Green county be so changed as to include said Carr in Adair county.

3. Mr. Sallee presented the petition of sundry citizens of Wayne county, praying an additional Constable in said county.

4. Mr. Harris presented the petition of sundry citizens of Madison county, praying a charter for a Railroad from Paris, through Winchester, to Richmond.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Propositions and Grievances; the 3d to the committee on the Judiciary, and the 4th to the committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ward—1. A bill fixing the time of holding the Circuit Courts.

On motion of same—2. A bill to protect more efficiently the rights of persons holding an interest in slaves in reversion or remainder.

Ordered, That Messrs. Ward, Silvertooth, Wooldridge, McFarland, J. F. Todd, Field, Riley, Rodman, Payne, Mitchell, Hanson, and Garrett, prepare and bring in the 1st, and the committee on the Judiciary the 2d.

On motion of Mr. Purdy,

Leave of absence until Monday next, was granted to Mr. Linn.

On motion of Mr. Preston,

Ordered, That Mr. Marshall be added to the committee on the Code of Practice.

Mr. Preston, from the committee on the Code of Practice, made the following report, viz:

The committee on the Code of Practice, to whom was referred the report of the Commissioners appointed by the Governor of Kentucky, under an act approved February 26, 1850, for the purpose of preparing a code of practice, both civil and criminal, having had the same under consideration, have the honor to report:

That, at the period when the convention for the alteration of the constitution assembled, one of the most prominent subjects that engaged the attention of that body was the adoption of such measures as would insure a revision of our statute law, and effect such reforms in pleading

and in practice as were congenial to the spirit of the age, and the advancement of legal science. With these views, a clause requiring the appointment of the commissioners was inserted in that instrument; but the legislature, at its last session, impressed by similar views entertained by the executive, anticipated in some measure this design by passing the act under which the present commission proceeded. The results of the labors of the commissioners have been laid before the legislature, and the same gentlemen have been re-appointed by them, for the purpose of completing the work with which they were charged.

The commissioners, although their duties extended to a reform of the mode of procedure applicable to all our courts, have, in the report made by them, presented a system only applicable to the circuit courts, the general court, and the Louisville chancery court. The completion of the work, and the formation of one general and harmonious code of civil procedure, extending to all of the courts of the commonwealth, will be the subject of their future duties.

The code of practice reported by the commissioners, among the many changes it proposes, offers none more striking than that which pertains to the mode of pleading. As pleadings are the written statements by which the parties inform the court and litigants of the subjects in controversy, preparatory to the trial, it would rationally follow, that this should be done in a clear, natural, orderly, and perspicuous manner. To accomplish this purpose, the civil law and the common law proceed upon very different principles. Our courts of equity, the offspring of the first, seek by bill, answer, demurrer, and reply, to evolve the facts, and great latitude of statement has always marked such pleadings; while, on the other hand, proceeding from writ to judgment, with punctilious forms, the common law requires a strict adherence to established precedents, not only in the pleadings, but throughout the entire series of entries. This difficulty is still further increased by the preservation of many forms of action, retaining yet the phraseology and spirit which marks their feudal origin, and wholly unsuited to the genius of modern jurisprudence. These forms are still further multiplied by endless subdivisions, until England possesses a system the most complex ever framed, for the administration of public justice, and has transmitted it to us, encumbered with all its technicalities and absurdities. The chief aim in its structure seems to be the infinite subdivision of its subtleties, and the establishment of a method so intricate that a lifetime may be exhausted in mastering its learning. The common law pleadings, originally established with the view of presenting a single claim and single defense, so as to secure a single issue, with perfect logical precision, and, to effect these objects by special pleadings in each case, formally stated, were so inadequate to the end, that they were the subject of continued complaints. Legislation sought to mitigate the inconvenience, by flying to the other extreme—by permitting any number of defenses to be pleaded, and, finally, by permitting the general issue to be pleaded, and the most foreign matters to be introduced in proof to support it. The statute of 4 Anne was passed in England to attain this object, by permitting several defenses to be pleaded, and its provisions have been universally copied in the legislation of the United States.

As, therefore, the earlier practice in England required a degree of accuracy so unnatural that the equities of the case were not often reached,

the relaxation of those rules now renders it almost impossible for either court, litigants, or counsel to conjecture, by perusing the pleadings, the character of the testimony necessary in the cause. The *forms* of action, and not the loose and general statements they contain, are, at present, the means by which the court guesses at the wishes of the parties; but in many instances they have no information of what is the real subject of controversy until the evidence is heard and the cause tried.

The vital defect in the ancient system of special pleading was, the attempt to reduce to the simplicity of a single issue, complex defenses. The evils engendered caused legislation to seek for a remedy. The remedy proposed was the destruction of the chief principle of the system itself. An instance is readily furnished in the present condition of the action of assumpsit. A declaration containing the common counts, for goods sold, money lent, money paid, money due to the use of the plaintiff, and money due on account stated, is sufficient, both under the English and American systems of pleading; the usual defense to the action is non-assumpsit. Now, from these pleadings, neither court, parties, counsel, nor jury, can imagine the points in controversy, nor form a more certain conjecture of the subject of dispute, than they could from a thesis and counter-thesis in regard to the possibility of squaring the circle. To remedy this inconvenience, it has been found necessary to adopt the plan of calling for a bill of particulars to correct the generality of the original declaration. In the other actions similar uncertainties prevail, and the devices adopted to insure specifications by which the parties, counsel, court, and juries may ascertain the real points at issue, are, the verbal statements of counsel, and the practice of asking instructions from the court—a practice greatly extended in the United States, and the object of which is, by a species of oral special pleading, to direct the jury what the issue is, and what the verdict should be, upon hypothetical directions from the court. As, therefore, the ancient system was absurd, from its efforts to insure singleness of issue, so the modern has become unphilosophic, from the license allowed to generality. As the one sought to present the issue by a logic unreasonably particular, so the latter has sought to cure the difficulty by presenting it so generally, that no one can tell the point in controversy by a perusal of the pleadings.

These are the two systems. England alone, of the two hundred and fifty millions who inhabit Europe, administers justice to about twenty-five millions by such machinery. And it may safely be affirmed, that every amelioration of her system has been in an exact ratio to the statutory enactments which have assimilated it to the genius and philosophy of the mode of procedure by bill, answer, and reply, under the civil law. Governed by such views, New York, in her recent law reform, struck down at one blow, and abolished all the multitudinous forms of actions of the system she inherited, and substituted in their stead the complaint, answer, and reply, analagous to the pleadings of courts of equity. The commissioners of Kentucky have, in the same spirit, abolished all forms of action, and with a nomenclature slightly different, have adopted the same methods of procedure. Upon this great reform, upon this adoption of a system which throws off at the same time the fetters of special pleading, with its cumbrous forms, endless details, and useless embarrassments, while a new, natural, and accurate method of statement is

introduced, the committee cannot refrain from expressing the gratification they have experienced, in examining the mode in which it has been accomplished by the commission; and they confidently trust the people and jurisprudence of Kentucky will derive the most solid benefits from its adoption.

In New York, not only were all forms of action abolished, but the lines between common law and chancery jurisdiction were completely obliterated. The Kentucky commissioners, while they have imitated them in the first instance, still retain the distinction between these jurisdictions; and the committee are of opinion that, until experience more clearly points out the necessity of blending them, it would be the wiser plan to keep up the line of demarcation. Though there is some testimony as to the success of this union of jurisdictions, yet it has neither been so complete nor so satisfactory as to induce the commissioners to engraft it upon the code. In order to prevent the improper union of different and heterogeneous subjects, they have, furthermore, in the sixth title, preserved a simple classification of the causes of action which may be united in the same petition, similar to that contained in the New York code. The mode in which exceptions are required to be taken for a misjoinder of those causes of action is such that it is presumed it will prevent any injustice in practice from that circumstance; but, if it should give rise to appeals for matters of form, your committee would suggest that the evil can be easily remedied, by an act rendering the decision of the circuit judge final in such cases. If, too, causes improperly docketed should be a fruitful ground for reversing decisions of the circuit courts, a similar provision would furnish an efficient remedy. These provisions, however, succeeding legislatures can apply, if they should find it necessary, but for the present the commissioners preferred adopting a system which would ensure as much order and accuracy as were consonant with the reforms they sought to establish.

Your committee are aware that the mode of verifying pleadings by affidavits, has been a fruitful source of objection, and it was the subject of their mature consideration. The limitations on this subject have been amended in such a manner that it is hoped no good objection can be maintained to the mode of verification. By amendments to the 169th section of the code, no affidavit is necessary to pleadings, where their statements might subject the party to any criminal or penal prosecution, or to cases involving injuries to person or character. The requisition of affidavits to answers in chancery, to dilatory pleas, and pleas impeaching the execution or consideration of writings, and for the issue of writs of replevin and distress warrants, all rest upon the same principle, and if the objections generally urged, that this innovation will lead to perjury, be true, then the reason would apply with full force to such cases, and we should abolish a requisition so pernicious to morals. But, on the contrary, the reforms secured in those cases, not only by ourselves, but by our sister states, are such that none would think of abandoning them. Why not, then, extend the principle to all cases? If there be a halting place, where is the true point? The committee and the commissioners are of opinion that the true limit is indicated in the code, and that the true point for cessation is where persons, from the usual excitement accompanying contests in the excepted cases, are more violent in feeling and reckless in maintaining actions, than in the ordinary cases to which

they have applied the rule. They also fully appreciate the force of the position assumed by the commissioners, that no action should be instituted, to drag witnesses from their homes, and impannel juries drawn from the avocations of life, without the party is willing to swear his cause of action or defense is, at least in his belief, just and proper. This requirement must produce the most beneficial results, in narrowing issues, exhibiting the true points in controversy, and preventing the institution of vexatious suits.

The changes proposed by the commissioners in relation to the law of evidence, are important, and in conformity to the most enlightened views entertained on that subject. The right of examining the adverse party has always existed in courts of equity, but the common law courts never pemitted the practice, and assigned as a reason, the liability of the party in interest to commit perjury. As evidence is used in both courts for the ascertainment of truth, it is difficult to appreciate the logic by which a practice, that would cause perjury in one, should be tolerated in another court of justice; why a witness, incompetent to testify to a fact before a circuit judge, might, the next monent, before the same judge, sitting as chancellor, be compelled to give evidence to the same facts in answer to a bill of discovery. These discrepancies in the English law of evidence, making distinctions where there was no differences in the objects sought, were long perceived, and at length, in the commencement of the present century, prominently and powerfully attacked by Jeremy Bentham. Most of the law reforms, since that period, have been marked by the adoption of the principle, and the conveniences flowing from it have been so signal, that where it has once been used, it has never been relinquished. England, in her minor jurisdictions, as well as ourselves, has adopted it; New York has engrafted it in her code, and many of our sister states pursue it in their practice.

The improvement made in the mode of taking testimony by the appointment of examiners in each county by the circuit judges, is worthy of attention. Our former mode of taking depositions was cumbrous in practice, and generally unsatisfactory, from the unskilful hands to which the duty was frequently confided. Under the proposed method, instead of the commission being issued by the court, to a person of whose qualifications they are ignorant, or the notice being given and the testimony taken before a magistrate, selected at the option of the party to be benefitted, the proof is taken from men whose capacities are known to the judge appointing them, and against whose bias, if any should exist, an adequate provision is made.

Your committee have deemed it expedient to allude only to these prominent subjects, without reference to the many minor changes in pleadings and practice which the code contains. The increased facilities in the service of process, the justice afforded by the rendition of partial judgments, and the reservation of contested matters for adjudication, and the relief which can be afforded by the use of provisional remedies as auxiliaries to the main action, and many other matters of importance to which your committee feel it unnecessary to allude, are embraced within the code. The house are referred to the able and lucid exposition contained in the report itself, for the explanation of many points of interest to the profession and the people.

So far as the committee have been able to learn, a feeling very favor-

able to the code exists among the legal profession throughout the state. This has usually been different in similar reforms elsewhere. One of the most eminent of the New York commission, in allusion to the hostility manifested by the profession to any reform, remarks that lawyers never have been and never will be in favor of any great change in the law; that when Romilly introduced in parliament his bills to subject lands to the payment of debts on unsealed contracts, and take away the punishment of death for shoplifting to the value of five shillings, he was opposed by such men as Ellenborough, Eldon, and Redesdale, and that it is an historical truth, that all the great reforms of the law have been carried against the wishes of its professors. The manifestations from the bar of Kentucky have not verified the justice of this remark. On the contrary, so far as we are informed, the proposed changes are approved and highly commended by many of the most eminent men in the profession. This approval is a source of satisfaction, as it assures the committee in the opinion they entertain as to the value of the code.

The present reform, commanded by the new constitution, is the first systematic attempt ever made by the commonwealth, for the simplification of her system of civil procedure. Inheriting from the mother country two judicial systems—the one of equity based on the civil law, the other of common law—we present the singular spectacle of a people having two entirely different systems of civil procedure. To combine these two with the philosophic features of each, so that there shall be but one avenue to justice in the land, and that plain, clear, and easy of access, has been the object of the commission, and we are of opinion that they have eminently succeeded. They have accomplished these reforms with a bold, but not injudicious hand; and, while they have engrafted on our system, reforms dictated by practical experience, they have avoided such as were speculative and untried. They seem fully to have appreciated the precept,

> "Per varios usus artem experientia fecit,
> Exemplo monstrante viam;

and, in this partial report, have given a fortunate augury of the ability which will mark their work when it is completed. We congratulate the state that, in this work, Kentucky, with that enlightened enterprise which has marked her progress in political science, is in the vanguard of her sister states, in the adoption of these reforms. They will not sleep here. They are at present pervading the union, and England, attached as old nations, like old men are, to customs venerable by time and sanctioned by use, will, ere long, adopt the views of her trans-atlantic descendants. Lord Brougham, the Attorney General, and the Solicitor General, are among the foremost advocates in the cause; and we feel that Kentucky, should this code be adopted, may well be proud of this honorable contribution to the cause of enlightened jurisprudence.

The committees of the House and of the Senate sat conjointly with the commissioners. The committee recommend the adoption of the amendments proposed and transmitted herewith, which amendments meet the approval of both committees and the commissioners.

All of which is respectfully submitted.

W. PRESTON, *Chairman*,
CALEB W. LOGAN,
HIRAM McELROY,
EDMUND WOOLDRIDGE,
JAMES P. METCALFE,
WILLIAM T. WARD,
ALVIN DUVALL,
WM. C. MARSHALL.
} *Committee.*

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Preston, from the committee on the Code of Practice, reported a bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for the 15th instant, at 10 o'clock; and that the Public Printer forthwith print 150 copies of the amendments proposed by the committee to said bill, for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to establish twelve Judicial Circuit Districts.

An act to amend the charter of the Farmers Bank of Kentucky.

That they had passed a bill, entitled, an act to incorporate the Fredonian Cumberland Presbyterian Church, in Caldwell county.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

1. A bill to amend an act, entitled, an act to incorporate the town of Lancaster.

2. A bill to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts, on the *ad valorem* principle.

Reported the first without, and the second with an amendment, which was concurred in.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Lexington Benevolent Female Society.

An act for the benefit of Caroline Ellis and others.

An act to amend an act establishing the Covington Commercial College.

An act to amend the charter of the Cave Hill Cemetery.

An act to incorporate Salt River Lodge, No. 180, in the town of Mount Washington, in Bullitt county.

An act to incorporate the Mayfield Presbyterial Seminary.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the act incorporating the Maysville and Lexington Railroad Company, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill for the benefit of Asbury Chapel, in the city of Louisville.

By same—2. A bill for the benefit of the Portland Dry Dock and Insurance Company.

By same—3. A bill to extend the corporate limits of the town of Newport.

By same—4. A bill to amend the charter of East Maysville, in Mason county.

By same—5. A bill amending an act for the benefit of Mary Ridge and Maria Davenport, approved February 9th, 1850.

By the committee on Ways and Means—6. A bill to amend the laws in relation to Ten-Pin Alleys.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st, 2d, 3d, 4th, and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. T. Todd moved to discharge the committee of the whole from the further consideration of the bill to apportion representation.

And the question being taken thereon, it was decided in the affirmative.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the representation for the house of representatives shall be apportioned among the several counties of the commonwealth in the following manner, viz:

To the first district, ten representatives, as follows: to the county of Graves one, Caldwell one, Hopkins one, Trigg one, Union one, Calloway one, Crittenden one, Livingston and Marshall one, Fulton and Hickman one, McCracken and Ballard one.

To the second district, ten representatives, as follows: to the county of Muhlenburg one, Henderson one, Ohio one, Breckinridge one, Meade one, Grayson one, Hancock one, Edmonson and Butler one, Daviess one, Christian one.

To the third district, nine representatives, as follows: to the county of Todd one, Logan one, Simpson one, Warren one, Allen one, Monroe one, Barren two, Hart one.

To the fourth district, nine representatives, as follows: to the county of Adair one, Green one, Wayne one, Pulaski one, Boyle one, Lincoln one, Cumberland and Clinton one, Casey and Russell one, Taylor one.

To the fifth district, ten representatives, as follows: to the county of Hardin two, Larue one, Bullitt one, Spencer one, Nelson one, Washington one, Marion one, Mercer one, Anderson one.

To the sixth district, ten representatives, as follows: to the county of Madison two, Garrard one, Whitley one, Knox one, Laurel and Rockcastle one, Letcher, Pike and Perry one, Clay, Owsley and Harlan one, Floyd and Johnson one, Estill one.

To the seventh district, eleven representatives, as follows: to the city of Louisville four, the county of Jefferson two, Shelby two, Henry one, Oldham one, Trimble and Carroll one.

To the eighth district, eight representatives, as follows: to the county of Fayette two, Bourbon one, Scott one, Owen one, Franklin one, Woodford one, Jessamine one.

To the ninth district, ten representatives, as follows: to the county of Clarke one, Montgomery one, Bath one, Greenup one, Lewis one, Carter one, Lawrence one, Fleming two, Morgan and Breathitt one.

To the tenth district, thirteen representatives, as follows: to the county of Mason two, Bracken one, Nicholas one, Harrison one, Pendleton one, Campbell one, Kenton two, Boone one, Gallatin one, Grant one.

§ 2. That for the purpose of apportioning representation in the senate, the state is hereby laid off into thirty-eight senatorial districts, as follows, viz: the counties of Hickman, Ballard, Graves, and Fulton, shall compose the first senatorial district; Union, Hopkins, and Crittenden, the second; Christian and Todd, the third; Logan, Simpson, and Butler, the fourth; Daviess and Henderson, the fifth; Warren, Allen, and Edmonson, the sixth; Barren and Monroe, the seventh; Green, Hart, and Taylor, the eighth; Clinton, Cumberland, Wayne, and Russell, the ninth; Casey, Adair, and Boyle, the tenth; Livingston, Caldwell, and McCracken, the eleventh; Breckinridge, Grayson, and Hancock, the twelfth; Ohio and Muhlenburg, the thirteenth; Hardin and Meade, the fourteenth; Louisville city, the fifteenth; Jefferson and Bullitt, the sixteenth; Trimble and Henry, the seventeenth; Shelby and Oldham, the eighteenth; Nelson, Larue, and Spencer, the nineteenth; Marion and Washington the twentieth; Mercer and Anderson, the twenty-first; Calloway, Trigg, and Marshall, the twenty-second; Lincoln and Pulaski the twenty-third; Madison and Garrard, the twenty-fourth; Laurel, Whitley, Knox, and Rockcastle, the twenty-fifth; Gallatin, Car-

roll, and Boone, the twenty-sixth; Kenton and Campbell, the twenty-seventh; Bourbon and Bath, the twenty-eighth; Grant, Pendleton, and Owen, the twenty-ninth; Harrison and Bracken, the thirtieth; Fayette and Scott, the thirty-first; Woodford, Jessamine, and Franklin, the thirty-second; Clarke, Montgomery, and Estill, the thirty-third; Carter, Greenup, and Lawrence, the thirty-fourth; Fleming and Nicholas, the thirty-fifth; Mason and Lewis, the thirty-sixth; Morgan, Johnson, Floyd, Pike, and Breathitt, the thirty-seventh; and Clay, Harlan, Owsley, Letcher, and Perry, the thirty-eighth.

§ 3. That in order to ascertain the state of the polls, where two or more counties compose a senatorial district, or two or more counties are joined to elect a representative, the sheriffs of such counties shall meet at the court house of the county first named, to compare the polls, on the first Monday next after the commencement of the election; and after having ascertained, by faithful comparison and addition, the number of their respective polls, shall make return of the persons elected, in the manner prescribed by law: *Provided*, That when a writ of election shall be issued by the governor, or either branch of the Legislature, an earlier day may be ordered in such writ for comparing the polls, if it should be deemed expedient.

§ 4. That if any new county should be established before the next enumeration and apportionment of representation, it shall be considered as part or parts of the county or counties from which it was taken, for the purpose of representation.

§ 5. That it shall be the duty of the present mayor and council of the city of Louisville, and they are hereby authorized and required, to lay off said city, by squares which are contiguous, so as to make the most compact form, into four districts for representatives to the house of representatives of this commonwealth, as nearly equal as may be, and one representative shall be chosen by the qualified voters residing in each of said districts, at the next election for the general assembly of this commonwealth.

Mr. N. Green moved to refer said bill to a committee of five, to consist of Messrs. Williams, of Bourbon, Gooch, Marshall, Desha, and Bradley.

Mr. W. M. Green moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hampton and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. M. Green,	Joel Murphy,
William W. Alexander,	Thomas S. Grundy,	Joel Owsley,
John B. Arnold,	Samuel Hanson,	Thomas Y. Payne,
Robert A. Athey,	William Harris,	William Preston,
R. T. Baker,	P. B. Hawkins,	Edward C. Purdy,
William Beeler,	Randall G. Hays,	Thomas W. Riley,
John B. Bruner,	Lysander Hord,	Burwell C. Ritter,
George R. Burgess,	Samuel B. Jesup,	John Rodman,
Wm. H. Calvert,	Samuel A. Kingman,	John L. Sallee,

Robert H. Campbell,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
William H. Grainger,
Wm. M. Gray,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—48.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Alfred F. Graham,
Norvin Green,
George M. Hampton,
Stilwell Heady,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams—35.

Mr. A. H. Talbott moved to amend said bill in the first section, and seventh district, by striking out the word "two," after Shelby, and insert "one;" and strike out after "Trimble," the words "and Carroll," and insert at the end of the clause, the words "and Carroll one."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. A. H. Talbott and T. Todd, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
Wm. Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
George M. Hampton,
P. B. Hawkins,
Stilwell Heady,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
John Tompson,
Marcus L. Williams,
James T. Woodward—34.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
Wm. M. Gray,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
Wm. Harris,
Randall G. Hays,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,

George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
Cyrenius W. Gilmore,
Wm. H. Grainger,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Albert G. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John F. Todd,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—51.

On motion of Mr. Jesup,

Ordered, That leave of absence, indefinitely, be granted to Mr. Williams, of Bourbon.

And then the House adjourned.

SATURDAY, FEBRUARY 8, 1851.

1. Mr. Kingman presented the petition of sundry citizens of Henry county, praying the repeal of the law approved 25th January, 1851, in relation to Magistrates' and Constables' districts in Henry and Laurel counties, so far as the same relates to Henry county, and that the division of said county, as returned to the office of the Secretary of State, may be declared valid.

2. Mr. Phelps presented the petion of Samuel Woosley, praying an act to legalize certain surveys made by the Surveyors of Butler and Edmonson counties.

3. Mr. G. I. Brown presented the petition of sundry citizens of Jessamine county, praying that the place of voting in a Magistrate's District, in said county, may be changed.

4. Mr. Rowlett presented the letter of John Q. Baker, praying that Owen county may be again divided into Magistrates' and Constables' Districts, and the former report withdrawn.

Which were received, the reading dispensed with, and referred—the 1st to the committee on County Courts; the 2d to the committee on the Judiciary, and the 3d and 4th to the committee on Propositions and Grievances.

Mr. Kavanaugh moved a reconsideration of the vote rejecting the bill providing for the printing and distribution of the acts of the General Assembly.

Ordered, That the further consideration of said motion be postponed till Tuesday next.

Mr. Gaither moved a reconsideration of the vote refusing to strike "one" from "Shelby," and add "one" to "Carroll," in the bill to apportion representation.

Ordered, That the further consideration of said motion be postponed till Monday next.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend the act incorporating the Maysville and Lexington Railroad Company.

That they had passed bills from this House of the following titles, viz:

An act to regulate tolls on turnpike roads in Mason county.

An act for the benefit of School District, No. 1, in Lawrence county.

An act to change the time of holding the February term of the Nelson Circuit Court.

An act for the benefit of Common Schools in Hart county, and for the benefit of Common School Districts, Nos. 33, Casey county; 20, Fulton county; 11, Bath county; 19 and 26, Owen county; 6, Clay county; 13, Johnson county; 36, Graves county; 28, Washington county, and two Districts in Henry county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to authorize the town of Paducah to subscribe stock in a Plank Road, and the Duck River Slackwater Navigation Company.

An act for the benefit of John G. Parks, Clerk of the Nicholas County Court.

An act to amend the charter of the Springfield, Maxville and Harrodsburg Turnpike Road Company.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Kavanaugh—1. A bill to incorporate Wildey Lodge, No. 40, of I. O. O. F.

By Mr. Davie—2. A bill to incorporate Green River Lodge, No. 54, I. O. O. F., of Hopkinsville.

By Mr. Athey—3. A bill to change the time of holding the Court of Claims in Fayette county.

By Mr. Graham—4. A bill making the offices of Circuit and County Court Clerk incompatable.

By Mr. Silvertooth—5. A bill to incorporate Hickman Lodge, No. 131, of Free and Accepted Masons.

By Mr. Hord—6. A bill incorporating the United Baptist Church in Taylor county.

By same—7. A bill for the benefit of Alfred F. Gowdy, Clerk of the Taylor County Court.

By Mr. Ward—8. A bill to change Magistrates' and Constables' District, No. 4, in Green county; No. 1, in Crittenden, and of the Lewisburg and Maysville Districts, in Mason county.

By Mr. M. L. Williams—9. A bill for the benefit of William Kouns, of Greenup county.

By Mr. Klette—10. A bill to establish the office of Town Marshal in the town of Independence, in the county of Kenton.

By Mr. Preston—11. A bill to charter the Louisville Homeopathic College of Medicine.

By Mr. Gooch—12. A bill to fix the salaries of officers.

By Mr. Dougherty—13. A bill to amend the road law in Pendleton county.

By Mr. W. M. Green—14. A bill to amend an act incorporating the Crab Orchard and Crew's Knob Turnpike Road Company, approved March 6, 1850.

By Mr. Hawkins—15. A bill to incorporate Æolian Building Company of the town of Bowlinggreen.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 10th, 11th, 13th, 14th, and 15th were severally ordered to be engrossed and read a third time; the 9th was referred to the committee on the Judiciary, and the 12th to the committee of the whole for the 17th instant.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 10th, 11th, 13th, 14th, and 15th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 12th bill for the use of the members of the General Assembly.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to authorize the Trustees of the town of Springfield to subscribe stock in a Turnpike Road.

An act to incorporate the Licking Packet Company.

An act in relation to Magistrates' and Constables' districts in Christian county.

An act to appoint two Trustees for Rockcastle Seminary, and for other purposes.

An act for the benefit of the heirs of Joseph Burnett, deceased.

An act to prevent the close shaving of the heads of convicts in the Penitentiary.

An act to amend the charter of the Bank Lick Turnpike Road Company.

An act for the benefit of Lucretia Stephens, administratrix of James Stephens, deceased.

An act to allow an additional Magistrates' and Constables' district in Pulaski county.

An act to amend the charter of the Lexington and Covington Turnpike Road Company.

An act to authorize the Clerk of the Allen Circuit Court to transmit certain papers, now in his possession, to the Clerk of the Barren Circuit Court.

An act to authorize a change in the State road leading from Canton to Hickman.

An act for the benefit of David A. Knox.

An act in relation to Magistrates' and Constables' districts in Logan county.

An act to incorporate the Pleasant Run Turnpike Road Company.

An act in relation to the town of Glasgow.

An act to incorporate the Hopkinsville Baptist Female Institute.

And bills which originated in this House, of the following titles, viz:

An act in relation to the Seminary fund of McCracken county.

An act to establish twelve Judicial Circuit Districts.

An act to amend the charter of the Farmers Bank of Kentucky.

An act to incorporate Warren Lodge, No. 110, of Free and Accepted Masons.

An act to authorize the County Courts to change the names of persons.

An act to incorporate the Kentucky Female College, at Greensburg.

An act to amend an act giving to officers, crews, mechanics, and others, a lien on steamboats, approved January 28, 1839.

An act to incorporate the Mayslick and Helena Turnpike Road Company.

An act for the benefit of the Sheriffs of Owen, Daviess, and Monroe counties.

An act to incorporate the South Elkhorn and Midway Turnpike Road Company.

An act to incorporate the Peach Orchard Coal Company.

An act to amend the law incorporating the Carrollton and Eagle Creek Turnpike Road Company.

An act to incorporate the Lexington Savings Institution.

An act to incorporate McKenzie Temple of Honor, No. 6.

An act to incorporate the New Liberty and Kentucky River Turnpike Road Company.

An act to empower the County Court of Bracken to take stock in Turnpike Roads.

An act to incorporate Magnolia Lodge, No 201, of Free and Accepted Masons.

An act to incorporate the Mount Gilead and Mount Carmel Turnpike Road Company.

An act to create two additional Magistrates' and Constables' Districts in Oldham county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Cook moved the following resolution, viz:

Resolved, That after this day, no member shall be permitted to speak for a longer time than ten minutes on any subject, and not oftener than twice on the same.

Mr. Moore moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dawson and Shawhan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Bradley,
George P. Brown,
George R. Burgess,
Wm. H. Calvert,
Alexander P. Churchill,
Alvin Duvall,
Edgar B. Gaither,
Bernard H. Garrett,
John G. Gooch,
William H. Grainger,
Thomas S. Grundy,
P. B. Hawkins,
Samuel B. Jesup,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—44.

Those who voted in the negative, were

James B. Allen,
William Beeler,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Robert English,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel A. Kingman,
Daniel Landes,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Joel Owsley,
Julian N. Phelps,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
William T. Terrill,
John F. Todd,
John Tompson,
William T. Ward—40.

Mr. Brittain moved the following resolution, viz:

Resolved, That after this day no member be permitted to speak longer than twenty minutes, nor more than twice upon the same subject, unless by consent of two-thirds of all the members elected.

Mr. Garrett moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brittain and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George P. Brown,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Alvin Duvall,
Bernard H. Garrett,
John G. Gooch,
William H. Grainger,
Thomas S. Grundy,
William Harris,
P. B. Hawkins,
Lysander Hord,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Strother D. Mitchell,
Morton P. Moore,
Thomas Y. Payne,
Wm. Preston,
Thomas W. Riley,
George W. Silvertooth,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
Edmund Wooldridge—32.

Those who voted in the negative, were

James B. Allen,
William Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
William M. Gray,
Norvin Green,
William M. Green,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Joel Murphy,
Joel Owsley,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
Wm. T. Terrill,

Robert English,
Richard H. Field,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
John F. Todd,
John Tompson,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—52.

Mr. Wooldridge moved to amend said resolution by striking out the words "unless by consent of two-thirds of all the members elected."

And the question being taken thereon, it was decided in the affirmative.

Mr. N. Green moved to amend said resolution by adding "unless by consent of three-fourths of the members present."

Mr. Gilmore moved the following as an amendment in lieu of the amendment of Mr. Green, viz:

"That those members who are not disposed to speak on any subject, shall have a right to transfer their time to any member they may think proper."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Landes, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George P. Brown,
William H. Calvert,
Alexander P. Churchill,
Winston J. Davie,
Alvin Duvall,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Thomas S. Grundy,
P. B. Hawkins,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Strother D. Mitchell,
Morton P. Moore,
Burwell C. Ritter,
Jesse S. Taylor,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—27.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Robert English,
Richard H. Field,
Samuel L. Geiger,
Norvin Green,
Wm. M. Green,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
John Tompson,

Alfred F. Graham, Joel Murphy, Marcus L. Williams,
Wm. H. Grainger, Joel Owsley, James T. Woodward—56.
William M. Gray, Thomas Y. Payne,

The question was then taken on the adoption of the amendment proposed by Mr. N. Green, and it was decided in the negative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Hanson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen, Norvin Green, Joel Owsley,
William Bradley, William M. Green, Thomas Y. Payne,
Carlo B. Brittain, George M. Hampton, Julian N. Phelps,
George I. Brown, Samuel Hanson, Edward C. Purdy,
John B. Bruner, Randall G. Hays, Burwell C. Ritter,
George T. Campbell, Stilwell Heady, C. C. Rogers,
Henry R. D. Coleman, Samuel B. Jesup, John L. Sallee,
John W. Cook, Samuel A. Kingman, John Shawhan,
Asbury Dawson, Daniel Landes, Basil G. Smith,
Joseph Dougherty, Peter Lashbrooke, Ambrose H. Talbott,
Robert English, George W. Mansfield, William T. Terrill,
Richard H. Field, Daniel Matthewson, John F. Todd,
Squire Gatliff, Hiram McElroy, John Tompson,
Samuel L. Geiger, John S. McFarland, Marcus L. Williams,
Alfred F. Graham, James P. Metcalfe, James T. Woodward—47.
William M. Gray, George H. Morrow,

Those who voted in the negative, were

James M. Alexander, John G. Gooch, Morton P. Moore,
William W. Alexander, William H. Grainger, Joel Murphy,
Robert A. Athey, Thomas S. Grundy, William Preston,
R. T. Baker, William Harris, Thomas W. Riley,
George P. Brown, P. B. Hawkins, John Rodman,
George R. Burgess, Lysander Hord, George W. Silvertooth,
William H. Calvert, Hiram Klette, Albert G. Talbott,
Robert H. Campbell, Preston H. Leslie, Jesse S. Taylor,
Alexander P. Churchill, Joseph H. Lewis, Thomas Todd,
Winston J. Davie, Caleb W. Logan, William T. Ward,
Alvin Duvall, William C. Marshall, G. W. Williams, of H.
Bernard H. Garrett, Strother D. Mitchell, Edmund Wooldridge—37.
Cyrenius W. Gilmore,

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on Printing be instructed to inquire into, and report to this House, the rate of charges usually made for the Public Printing; and also, the cost of paper, and other expenses connected therewith; and whether there should be made any alterations in relation thereto.

Which was adopted.

Mr. N. Green moved the following resolution, viz:

Resolved, That the committee on Education be instructed to report a bill to this House, securing the distribution or investment of the full proportion of the income of the Common School Fund to the separate benefit of each county, according to the requisitions of the Constitution.

Ordered, That the further consideration of said resolution be postponed till Monday, the 17th instant.

Mr. J. M. Alexander moved the following resolution, viz:

Whereas, by a vote of this House, it has been decided that free discussion upon general and local questions, both, shall be limited:

Resolved, therefore, That no member shall be allowed to speak upon any question, after Monday next, which may come before this House; but any member shall be allowed to give an explanation upon any question, not to exceed five minutes at any one time.

Mr. Hanson moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grundy and Hampton, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	William M. Gray,	George H. Morrow,
Wm. Beeler,	Norvin Green,	Joel Murphy,
William Bradley,	William M. Green,	Joel Owsley,
George I. Brown,	Samuel Hanson,	Thomas Y. Payne,
John B. Bruner,	P. B. Hawkins,	William Preston,
George R. Burgess,	Randall G. Hays,	Edward C. Purdy,
Robert H. Campbell,	Stilwell Heady,	Thomas W. Riley,
George T. Campbell,	Lysander Hord,	Burwell C. Ritter,
Henry R. D. Coleman,	Samuel B. Jesup,	John Rodman,
Asbury Dawson,	Samuel A. Kingman,	C. C. Rogers,
Joseph Dougherty,	Peter Lashbrooke,	Joseph W. Rowlett,
Robert English,	Preston H. Leslie,	John L. Sallee,
Richard H. Field,	Joseph H. Lewis,	George W. Silvertooth,
Squire Gatliff,	George W. Mansfield,	Basil G. Smith,
Samuel L. Geiger,	Daniel Matthewson,	John F. Todd,
John G. Gooch,	Hiram McElroy,	John Tompson,
Alfred F. Graham,	James P. Metcalfe,	G. W. Williams, of H.
William H. Grainger,	Strother D. Mitchell,	Marcus L. Williams—54.

Those who voted in the negative, were

James M. Alexander,	Bernard H. Garrett,	John Shawhan,
R. T. Baker,	Cyrenius W. Gilmore,	Jesse S. Taylor,
Alexander P. Churchill,	Thomas S. Grundy,	Thomas Todd,
John W. Cook,	George M. Hampton,	William T. Ward—13.
Winston J. Davie,		

Mr. W. M. Green moved the following resolution, viz:

Resolved, That the rules of the House be so amended, as that any pending amendment may be laid on the table, without carrying the bill with it.

On motion of Mr. Hanson,

Ordered, That said resolution be laid on the table.

Mr. W. M. Green moved the following resolution, viz:

Resolved, That after Monday next, this House will devote its time exclusively to the consideration and passage of such laws as come within the requirements of the new Constitution.

On motion of Mr. Lashbrooke,

Ordered, That said resolution be laid on the table.

Mr. T. Todd moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to ascertain if any laws are necessary in relation to the General Court, and if so, to bring in bills for the same.

Which was adopted.

At a quarter after 1 o'clock, P. M., Mr. Calvert moved an adjournment.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Wm. W. Alexander,	Alfred F. Graham,	Caleb W. Logan,
William Bradley,	Norvin Green,	George W. Mansfield,
William H. Calvert,	William Harris,	John S. McFarland,
Robert H. Campbell,	Randall G. Hays,	Jesse S. Taylor,
Alexander P. Churchill,	Samuel A. Kingman,	John F. Todd,
Bernard H. Garrett,	Hiram Klette,	Marcus L. Williams,
Squire Gatliff,	Daniel Landes,	James T. Woodward,
Samuel L. Geiger,	Peter Lashbrooke,	Edmund Wooldridge—24.

Those who voted in the negative, were

James M. Alexander,	William M. Gray,	Joel Owsley,
James B. Allen,	William M. Green,	Thomas Y. Payne,
Robert A. Athey,	Thomas S. Grundy,	Julian N. Phelps,
William Beeler,	George M. Hampton,	Edward C. Purdy,
Carlo B. Brittain,	Samuel Hanson,	Thomas W. Riley,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
George P. Brown,	Stilwell Heady,	John Rodman,
John B. Bruner,	Lysander Hord,	C. C. Rogers,
George R. Burgess,	Samuel B. Jesup,	Joseph W. Rowlett,
George T. Campbell,	Preston H. Leslie,	John L. Sallee,
Henry R. D. Coleman,	Joseph H. Lewis,	John Shawhan,
John W. Cook,	Daniel Matthewson,	George W. Silvertooth,
Winston J. Davie,	Hiram McElroy,	Basil G. Smith,
Asbury Dawson,	James P. Metcalfe,	Albert G. Talbott,
Joseph Dougherty,	Strother D. Mitchell,	Ambrose H. Talbott,
Robert English,	Morton P. Moore,	John Tompson,
Cyrenius W. Gilmore,	George H. Morrow,	William T. Ward,
John G. Gooch,	Joel Murphy,	G. W. Williams, of H—54.

Leave was given to bring in the following bills, viz:

On motion of Mr. Morrow—1. A bill to incorporate the University of Paducah

On motion of same—2. A bill to incorporate the Cumberland Presbyterian Church in Paducah.

On motion of Mr. Smith—3. A bill for the benefit of the Glasgow Seminary.

On motion of Mr. Lewis—4. A bill to amend the charter of the Louisville and Nashville Railroad Company.

On motion of same—5. A bill to authorize the Barren County Court to subscribe stock in the Louisville and Nashville Railroad Company.

On motion of Mr. Marshall—6. A bill to amend the charter of the Augusta, Cynthiana and Georgetown Turnpike Company.

On motion of Mr. Baker—7. A bill to change the place of voting in Jamestown, in Campbell county.

On motion of Mr. G. T. Campbell—8. A bill to incorporate the Carrollton Library Society.

On motion of same—9. A bill to establish a Police Court in the town of Carrollton.

On motion of Mr. Hanson—10. A bill to authorize the Trustees of Winchester to sell the public spring lot, in said town.

On motion of Mr. Owsley—11. A bill to change the place of voting in the 4th Justice's district in Cumberland county.

On motion of Mr. Moore—12. A bill to remove obstructions out of Kentucky River above slackwater.

On motion of Mr. Graham—13. A bill to establish a Police Court for the town of Poplar Plains.

On motion of Mr. Silvertooth—14. A bill to amend an act appointing Trustees of the Moscow Seminary, approved March 6, 1850.

On motion of same—15. A bill to repeal an act approved March 5, 1850, extending the corporate limits of the town of Moscow, in Hickman county.

On motion of same—16. A bill to create the offices of Police Judge and Marshal in the town of Moscow, in Hickman county.

On motion of Mr. M. L. Williams—17. A bill for the benefit of Riley McGuire.

On motion of Mr. English—18. A bill to authorize the County Court of Hardin to subscribe stock in railroad companies.

On motion of same—19. A bill in relation to Circuit and County Court Clerks.

On motion of same—20. A bill for the benefit of William McCawley, of Hardin county.

On motion of same—21. A bill for the benefit of William C. Smith, of Hardin county.

On motion of Mr. Shawhan—22. A bill to give to the County Court of Harrison the power to build a court house in said county.

On motion of Mr. Williams, of Hancock—23. A bill to authorize the collection of an *ad valorem* tax, for road purposes, in the county of Hancock.

On motion of same—24. A bill to incorporate the Western Coal and Manufacturing Company, in Hancock County.

On motion of same—25. A bill to incorporate the Mining Company, in Hancock county.

On motion of Mr. N. Green—26. A bill to incorporate Sligo Division, No. 18, Sons of Temperance.

On motion of same—27. A bill for the benefit of John L. McCann.

On motion of Mr. Churchill—28. A bill to amend the charter of the Oakland Turnpike or Plank Road Company.

On motion of same—29. A bill to charter a Hotel in the city of Louisville.

On motion of Mr. Beeler—30. A bill to reduce the number of jurymen to sit in all trials before Justices of the Peace and Constables.

On motion of Mr. Kingman—31. A bill for the benefit of Uriah G. Berry.

On motion of Mr. Leslie—32. A bill for the benefit of Common School District, No. 19, in Monroe county.

On motion of same—33. A bill to amend an act, entitled, an act to incorporate the trustees of "Centre Point Meeting House," in Monroe county, approved 22d January, 1845.

On motion of Mr. Mitchell—34. A bill to incorporate the town of Mountsterling.

On motion of same—35. A bill incorporating the Mountsterling and Jeffersonville Turnpike Road Company.

On motion of Mr. Metcalfe—36. A bill to incorporate Georgetown Royal Arch Chapter, No. 13.

On motion of Mr. Rodman—37. A bill to amend the act incorporating the town of Lagrange, in Oldham county.

On motion of same—38. A bill for the benefit of Floydsburg Common School District, in Oldham county.

On motion of Mr. Rowlett—39. A bill relative to the navigation of Kentucky River.

On motion of same—40. A bill for the benefit of the Owenton and Scott County Line Turnpike Road.

On motion of Mr. Gilmore—41. A bill for the benefit of Common School District, No. 64, in Pulaski county.

On motion of same—42. A bill to license billiard tables.

On motion of Mr. Hawkins—43. A bill further to regulate the town of Bowlinggreen.

On motion of same—44. A bill to enforce the collection of the delinquent lists of the county levy.

On motion of Mr. Grundy—45. A bill for the benefit of School Districts, Nos. 27, 35, 55 and 56, in Washington county.

On motion of Mr. Sallee—46. A bill to establish an April and July term of the Wayne County Court.

On motion of Mr. Gatliff—47. A bill to change a Magistrate's District in Whitley county.

Ordered, That the committee on Education prepare and bring in the 1st, 3d, 8th, 14th, 32d, 38th, 41st, and 45th; the committee on Religion the 2d; the committee on Internal Improvement the 4th, 5th, 6th, 18th, 28th, 35th, 39th, and 40th; the committee on Privileges and Elections the 7th; the committee on the Judiciary the 9th, 10th, 15th, 16th, 17th, 19th, 23d, 24th, 25th, 26th, 29th, 33d, 34th, 36th, 43d, and 44th; the committee on County Courts the 11th, and 46th; Messrs. Moore, Athey, and Hord, the 12th; Messrs. Graham, Dulin, and Rowlett, the 13th; the committee on Claims the 20th, and 31st; the committee on Propositions and Grievances the 21st, 22d, 27th, and 47th; the committee on the Code of Practice the 30th; Messrs. Rodman, Kingman, and W. M. Green, the 37th; Messrs. Gilmore, Hays, Athey, N. Green, Geiger, and Grainger, the 42d.

On motion of Mr. Sallee,

Ordered, That Mr. Gatliff be added to the committee on Propositions and Grievances.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act to enlarge the jurisdiction of the Police Judge of the town of Hartford.

An act to incorporate Bedford Lodge, No. 158, of Free and Accepted Masons.

An act to amend an act incorporating the Lexington and Frankfort Turnpike Road.

An act giving the Meade County Court jurisdiction of part of the Salt river and Bowlinggreen road.

An act to incorporate Bullitt Lodge, No. 155, of Free and Accepted Masons.

An act to authorize the running and re-marking the boundary lines of Butler county.

An act to authorize the Spencer County Court to sell the Poor House tract of land in said county.

An act for the benefit of William M. Fox, Clerk of the Pulaski Circuit and County Courts.

An act to amend the charter of the Eagle Creek, New Liberty, Owenton, and Scott County Line Turnpike or Plank Road Company.

An act for the benefit of the Sheriff of Anderson county.

An act for the benefit of the citizens of the town of Burksville.

An act to revive the corporate powers and to authorize the re-building of the Meeting House of Mount Tabor Church, in Estill county.

An act to divide the State into four districts for the election of Judges of the Court of Appeals.

An act to change the limits of the town of Lawrenceburg.

Approved February 1, 1851.

A bill from the Senate, entitled, an act to amend the charter of the Bowlinggreen and Tennessee Railroad Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The amendments proposed by the Senate, to a bill from this House entitled, an act for the benefit of Common Schools in Hart county, and for the benefit of Common School Districts, Nos. 33, Casey county; 20, Fulton county; 11, Bath county; 19 and 26, Owen county; 6, Clay county; 13, Johnson county; 36, Graves county; 28, Washington county, and two Districts in Henry county, were taken up, twice read, and concurred in.

And then the House adjourned.

MONDAY, FEBRUARY 10, 1851.

1. Mr. Dulin presented petitions from physicians of Fleming county, praying the establishment of a Medical Board, to grant licenses to practice medicine.

2. Mr. W. M. Green presented the petition of Benjamin Coe and James J. Melson, of Adair county, praying the Russell county line may be so altered as to include them therein.

3. Mr. Rowlett presented the petition of citizens of Owen county, residents of Magistrates' and Constables' District No. 5, praying the voting place in said district may be removed to the centre of said district.

4. Mr. Burgess presented the petition of citizens of Carter county, praying a change in the voting place of District No. 8, for the election of Magistrates and Constable, in said county.

5. Also, presented the petitions of citizens of Carter county, praying for a change in the limits of District No. 8, in said county, for the election of Magistrates and Constable.

6. Mr. Woodward presented the memorial of Andrew Craig, of Whitley county, praying the passage of an act, the better to define and prescribe the duty of the Surveyor of said county.

7. Also, a remonstrance from William C. Gilless, Surveyor of Whitley county, against the passage of the act petitioned for by Andrew Craig.

8. Mr. Lashbrooke presented the petition of W. D. Coryell, praying an act may be passed amending the charter of the Maysville, Orangeburg and Mount Carmel Turnpike Road Company.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Gardner, Allen, Owsley, N. Green, and Riley; the 2d to the committee on Propositions and Grievances; the 3d, 4th, and 5th, to the committee on Privileges and Elections; the 6th, and 7th to the committee on the Judiciary, and the 8th to the committee on Internal Improvements.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate Lexington Division, No. 21, Sons of Temperance.

An act to re-organize and regulate the office of Police Judge in the town of Hickman.

An act to authorize the Trustees of the town of Cadiz to sell a part of Main or Washington street, in said town.

An act to amend an act, entitled, an act to incorporate the Lexington Fire, Life, and Marine Insurance Company, approved March 1, 1836.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to repeal an act for the benefit of Charles Rice, Sheriff of Carter county, approved December 18, 1850.

An act to amend an act, entitled, on act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act to incorporate Bullitt Royal Arch Chapter, No. 44.

An act to authorize the city of Louisville to subscribe stock in certain Railroads.

That they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Sheriff of Taylor county.

An act for the benefit of the Sheriff of Bath county.

An act to revive the charter of the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of the Sheriff of Kenton county.

An act to amend the acts incorporating the Fire Department of the city of Louisville.

An act to amend an act, entitled, an act to incorporate certain Turnpike Road Companies in Montgomery county, and for other purposes, approved March 5, 1850.

An act for the benefit of William C. Halbert, Sheriff of Lewis county.

An act to amend the charter of the Lexington, Frankfort, and Versailles Turnpike Road Company.

An act for the benefit of the Sheriff of Knox county.

An act for the benefit of Thomas L. Garrard, of Pendleton county.

An act in relation to the Magistrates' and Constables' Districts in Grant county.

An act for the benefit of the Sheriff of Rockcastle county.

An act to incorporate the Farmers' Turnpike Road Company.

Approved February 3, 1851.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred bills from the Senate, of the following titles, viz:

An act to run and re-mark the boundary lines between the counties of Lewis and Mason.

An act to condemn land in Fleming county for a burial ground.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition and remonstrance of sundry citizens of the town of Clinton, in Hickman county, in relation to the sale of ardent spirits, asked to be discharged from the further consideration of the same, which was granted.

On motion of Mr. Silvertooth, leave was granted to withdraw the same, and they were withdrawn.

On motion of Mr. J. M. Alexander, leave of absence, till Thursday next, was granted to Mr. A. G. Talbott.

Ordered, That Messrs. McElroy, Kingman, Varnon, Morrow, W. M. Green, Hays, W. W. Alexander, and Hord, be added to the committee to prepare and bring in the bill to fix the time of holding Circuit Courts.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to amend an act, entitled, an act to protect the rights of married women, approved February 23, 1846, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said bill be referred to the committee on the Revised Statutes.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of the widow and heirs at law of Samuel Scott, deceased, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of sundry citizens of Mason county, in relation to the sale of ardent spirits; the petition of Jesse E. Oldham, and sundry citizens of Hopkins county, and the petition of John L. McCann, asked to be discharged from the further consideration of the same, which was granted.

Mr. McFarland, from the same committee, to whom was referred the petition of John Clay, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. McFarland, from the same committee, to whom was referred a bill from the Senate, entitled, an act concerning the Treasurer of Graves county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Rogers, from the committee on Education, to whom was referred

a bill from the Senate, entitled, an act for the benefit of the Board of Trustees of Common Schools, for the city of Covington, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to extend the limits of Magistrates' and Constables' District, No. 7, in Knox county.

By same—2. A bill to establish District No. 6, in the county of Bath.

By the committee on the Judiciary—3. A bill incorporating the German Lutheran Presbyterian St. John's Church, in Newport.

By same—4. A bill authorizing the Trustees of Winchester to sell the public spring lot in said town.

By same—5. A bill authorizing the sale of certain streets in the town of Glasgow.

By same—6. A bill to change the corporate limits of the town of Moscow, in Hickman county.

By same—7. A bill further to regulate the town of Bowlinggreen.

By same—8. A bill to incorporate Georgetown Chapter, No. 13, of Free and Accepted Masons, and to amend an act incorporating Mount Vernon Lodge, No. 14.

By same—9. A bill to incorporate the Union Hotel Company, in Louisville.

By same—10. A bill to incorporate Sligo Division, No. 18, Sons of Temperance, in Henry county.

By the committee on Education—11. A bill to amend an act appointing Trustees for Moscow Seminary, in Hickman county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 2d were referred to Messrs. Payne, Rowlett, and Davie; and the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th, were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act to authorize the city of Louisville to subscribe stock in certain railroads.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the said bills were referred to the committee on the Judiciary.

On motion of Mr. Baker,

Leave was given to bring in a bill to authorize the President, Directors & Co., of the Southern Bank of Kentucky, to establish a branch at Newport.

Ordered, That the committee on Banks prepare and bring in the same.

A message was received from the Senate, asking leave to withdraw their report, announcing the passage of a bill from this House, entitled, an act to change the time of holding the February term of the Nelson Circuit Court; which was granted, and the bill was withdrawn.

The House again resumed the consideration of the bill to apportion representation.

Mr. Wooldridge moved to amend said bill by striking out after "Hancock," the word "one," and insert after "Christian," the word "two."

Mr. Heady called for a division of the question.

The question was first taken on striking out after "Hancock," the word "one," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davie and McFarland, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Bernard H. Garrett,	George H. Morrow,
Robert A. Athey,	George M. Hampton,	Julian N. Phelps,
William Bradley,	P. B. Hawkins,	C. C. Rogers,
William H. Calvert,	Stilwell Heady,	Joseph W. Rowlett,
Robert H. Campbell,	Samuel B. Jesup,	John Shawhan,
George T. Campbell,	Hiram Klette,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
John W. Cook,	Peter Lashbrooke,	Ambrose H. Talbott,
Winston J. Davie,	George W. Mansfield,	William T. Terrill,
Asbury Dawson,	Daniel Matthewson,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	Marcus L. Williams,
Alvin Duvall,	James P. Metcalfe,	Edmund Wooldridge—36.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Murphy,
James M. Alexander,	Alfred F. Graham,	Joel Owsley,
William W. Alexander,	Wm. H. Grainger,	Thomas Y. Payne,
R. T. Baker,	William M. Gray,	William Preston,
William Beeler,	William M. Green,	Edward C. Purdy,
George I. Brown,	Thomas S. Grundy,	Thomas W. Riley,
George P. Brown,	Samuel Hanson,	Burwell C. Ritter,
John B. Bruner,	Wm. Harris,	John Rodman,
George R. Burgess,	Randall G. Hays,	John L. Sallee,
Alexander P. Churchill,	Lysander Hord,	Jesse S. Taylor,
Edward F. Dulin,	Samuel A. Kingman,	John F. Todd,
Robert English,	Preston H. Leslie,	Thomas Todd,
Richard H. Field,	Joseph H. Lewis,	William T. Ward,
Squire Gatliff,	William C. Marshall,	G. W. Williams, of H.
Samuel L. Geiger,	John S. McFarland,	James T. Woodward—47.
Cyrenius W. Gilmore,	Strother D. Mitchell,	

On motion of Mr. Hanson,

The 5th section of said bill was stricken out.

The said bill was further amended by striking "Breathitt," from the 37th Senatorial district, and adding it to the 38th district.

Mr. Bruner moved to lay on the table the motion made on Saturday last, by Mr. Gaither, to reconsider the vote refusing to strike out after "Shelby," the word "two," and insert "one," and add after "Carroll" the word "one."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Green,	Joel Owsley,
Wm. W. Alexander,	Samuel Hanson,	Thomas Y. Payne,
R. T. Baker,	Wm. Harris,	William Preston,
William Beeler,	Randall G. Hays,	Edward C. Purdy,
George I. Brown,	Lysander Hord,	Thomas W. Riley,
John B. Bruner,	Samuel A. Kingman,	Burwell C. Ritter,
George R. Burgess,	Hiram Klette,	John Rodman,
William H. Calvert,	Preston H. Leslie,	Jesse S. Taylor,
Robert H. Campbell,	Joseph H. Lewis,	Wm. T. Terrill,
Edward F. Dulin,	Wm. C. Marshall,	John F. Todd,
Robert English,	John S. McFarland,	Thomas Todd,
Cyrenius W. Gilmore,	Strother D. Mitchell,	William T. Ward,
John G. Gooch,	Joel Murphy,	G. W. Williams, of H—40.
Wm. H. Grainger,		

Those who voted in the negative, were

James M. Alexander,	Squire Gatliff,	James P. Metcalfe,
James B. Allen,	Samuel L. Geiger,	George H. Morrow,
Wm. Bradley,	Alfred F. Graham,	Benjamin L. Owens,

Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Wm. M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
James T. Woodward,
Edmund Wooldridge—44.

The question was then taken on reconsidering said vote, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. G. T. Campbell and Hanson, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
George M. Hampton,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—41.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
Wm. M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Randall G. Hays,
Lysander Hord,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
William T. Ward,
G. W. Williams, of H—44.

And then the House adjourned.

TUESDAY, FEBRUARY 11, 1851.

1. Mr. Duvall presented the petition of citizens of Scott county, praying the formation of an additional District for Magistrates and a Constable, in said county.

2. Mr. Gray presented a remonstrance of sundry citizens of Morgan county, against the formation of a new county out of a part thereof.

3. Mr. Gaither presented the petition of citizens of Neatsville, in Adair county, praying a change in the act incorporating said town.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Payne, Rowlett, and Davie; the 2d to the committee on Propositions and Grievances, and the 3d to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Mansfield—1. A bill to incorporate the Independent Order of Odd Fellows, of Hobson Lodge, No. 63, in Scottsville.

On motion of Mr. Dulin—2. A bill to amend the act establishing the Police Court of Flemingsburg.

On motion of Mr. Silvertooth—3. A bill to repeal the law requiring fifty cents tax, fee to be paid to the Clerks of the Circuit Courts upon original law process.

On motion of Mr. Varnon—4. A bill to amend an act "to incorporate the Trustees of the Parochial School of the Hanging Fork Presbyterian Church," approved February 9, 1850.

On motion of Mr. J. F. Todd—5. A bill to incorporate the Methodist Episcopal Church, South, of Russellville.

On motion of Mr. Grainger—6. A bill to incorporate the Louisville Paper Mill.

On motion of Mr. J. M. Alexander—7. A bill to incorporate Montgomery Lodge, No. 18, I. O. O. F.

On motion of Mr. A. H. Talbott—8. A bill to prevent fishing in Barebone, in Trimble county, except with hook and line.

On motion of Mr. Hanson—9. A bill to authorize the Trustees of Winchester to sell the public stray-pen in said county

Ordered, That the committee on Religion prepare and bring in the 1st; the committee on the Judiciary the 2d, 3d, 5th, 6th, 7th, 8th, and 9th, and the committee on Education the 4th.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the

town of Hardinsburg, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said bill be referred to the committee on Ways and Means.

A message was received from the Senate, announcing that they had passed bills from the House, of the following titles, viz:

An act for the benefit of James J. Hall.

An act for the benefit of Harvey M. Brown.

An act for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Court.

An act giving to the Clerk of the McCracken Circuit and County Court further time to list his fee bills.

An act for the benefit of the Trustees of the Hickman County Court.

An act to establish District, No. 7, in the county of Laurel, and for other purposes.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to reduce into one the several acts concerning the town of Portland, approved March 2, 1850.

An act to change the place of voting in the 5th District, for the election of Justices of the Peace and Constables, in Trigg county.

An act to allow an additional Magistrates' and Constables' District, in the county of Barren.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act for the benefit of the Greenwood School District, in Jefferson county.

An act to repeal an act, entitled, an act to establish one additional Justices' and Constables' District, in Fulton county.

An act to authorize the Shelby County Court to sell and convey the Poor House, in said county.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill authorizing the sale of certain streets and an alley, in the town of Russellville.

By the committee on Circuit Courts—2. A bill changing the spring term of the Calloway and Graves Circuit Courts.

By Mr. McFarland—3. A bill to suppress the practice of adulterating spirituous liquors, &c.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 2d were severally or-

dered to be engrossed and read a third time, and the 3d was referred to the committe on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to regulate tolls on Turnpike Roads in Kenton county.

An act for the benefit of the Trustees of Waidsboro'.

An act providing for the election of certain officers in the town of Paducah.

An act to incorporate Mayfield Lodge, No. 146, of Free and Accepted Masons.

Were twice read and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act to incorporate the Louisville and Mississippi, or Ohio River Railroad Company.

2. An act to provide for the interment of the remains of the Kentuckians who fell at Raisin.

3. An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

4. An act to incorporate Germantown Lodge, No. 207, of Free and Accepted Masons.

5. An act to incorporate the Fredonia Cumberland Presbyterian Church, in Caldwell county.

6. An act to authorize the town of Paducah to subscribe stock in a Plank Road, and the Duck River Navigation Company.

7. An act for the benefit of John G. Parks, Clerk of the Nicholas County Court.

8. An act to amend the charter of the Springfield, Maxville and Harrodsburg Turnpike Road Company.

9. An act to repeal an act for the benefit of Charles Rice, Sheriff of Carter county, approved December 18, 1850.

10. An act to incorporate Bullitt Royal Arch Chapter, No. 44.

11. An act to amend an act, entitled, an act to reduce into one the several acts concerning the town of Portland, approved March 2, 1850.

12. An act to change the place of voting in the 5th District, for the election of Justices of the Peace and Constables, in Trigg county.

13. An act to allow an additional Magistrates' and Constables' District in Barren county.

14. An act to amend the charter of the Lexington and Danville Railroad Company.

15. An act for the benefit of the Greenwood School District, in Jefferson county.

16. An act to repeal an act, entitled, an act to establish an additional Magistrates' and Constables' District in Fulton county.

17. An act to authorize the Shelby County Court to sell the Poor House, in said county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 3d, 6th, and 8th were referred to the committee on Internal Improvement; the 2d to the committee on Military Affairs; the 4th, 5th, 7th, 10th, 11th, 14th, and 17th to the committee on the Judiciary; the 15th to the committee on Education; and the 9th, 12th, 13th, and 16th were severally ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 9th, 12th, 13th, and 16th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. F. Todd moved a reconsideration of the vote of Saturday last, laying on the table the resolution proposed by Mr. W. M. Green, on Saturday last, that the rules of the House be so amended as that any pending amendment may be laid on the table without carrying the bill with it.

Ordered, That the further consideration of said motion be postponed for the present.

A message was received from the Senate, announcing their disagreement to the amendment proposed by this House to a bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax.

The question was then taken on receding from the first amendment of this House.

And after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

The House again resumed the consideration of the bill to apportion representation.

Mr. Davie moved to amend said bill, by substituting in lieu of the 2d section, the following, viz:

The counties of Hickman, Ballard, Graves, and Fulton, shall compose the 1st Senatorial district; Calloway, Marshall, Livingston, and McCracken, the 2d; Caldwell and Trigg, the 3d; Crittenden, Union, and Hopkins, the 4th; Christian and Muhlenburg, the 5th; Daviess and Henderson, the 6th; Ohio, Hancock, and Breckinridge, the 7th; Butler, Logan, and Todd, the 8th; Warren, Allen, and Simpson, the 9th; Bar-

ren and Monroe, the 10th; Edmonson, Grayson, Hart, and Larue, the 11th; Hardin and Meade, the 12th; Nelson, Bullitt, and Spencer, the 13th; the 1st, 2d, 3d, 4th, 5th, and 6th wards of Louisville, the 14th; the 7th and 8th wards of Louisville, and the county of Jefferson, the 15th; Washington and Marion, the 16th; Green, Taylor, and Adair, the 17th; Cumberland, Clinton, Wayne, and Russell, the 18th; Henry, Oldham, and Trimble, the 19th; Shelby and Franklin, the 20th; Mercer and Anderson, the 21st; Jessamine, Garrard, and Woodford, the 22d; Owen and Scott, the 23d; Carroll, Gallatin, and Boone, the 24th; Kenton, the 25th; Campbell, Pendleton, and Grant, the 26th; Mason and Bracken, the 27th; Harrison and Nicholas, the 28th; Fayette, and Bourbon, the 29th; Fleming and Lewis, the 30th; Greenup, Carter, and Lawrence, the 31st; Morgan, Bath, and Johnson, the 32d; Montgomery, Clarke, and Estill, the 33d; Madison and Rockcastle, the 34th; Boyle, Lincoln, and Casey, the 35th; Pulaski and Whitley, the 36th; Harlan, Knox, Clay, Perry, and Laurel, the 37th; Owsley, Breathitt, Letcher, Floyd, and Pike, the 38th.

Mr. W. M. Green moved to amend the amendment of Mr. Davie, by substituting in lieu thereof the following, viz:

§ 2. That for the purpose of apportioning representation in the senate, the state is hereby laid off into thirty-eight senatorial districts, as follows, viz: the counties of Hickman, Ballard, Graves, and Fulton, shall compose the first senatorial district; Union, Hopkins, and Crittenden, the second; Christian and Todd, the third; Logan, Simpson, and Butler, the fourth; Daviess and Henderson, the fifth; Warren, Allen, and Edmonson, the sixth; Barren and Monroe, the seventh; Green, Hart, and Taylor, the eighth; Clinton, Cumberland, Wayne, and Russell, the ninth; Casey, Adair, and Boyle, the tenth; Livingston, Caldwell, and McCracken, the eleventh; Breckinridge, Grayson, and Hancock, the twelfth; Ohio and Muhlenburg, the thirteenth; Hardin and Meade, the fourteenth; the six first wards in Louisville city, the fifteenth; Jefferson and the seventh and eighth wards of Louisville city, the sixteenth; Trimble, Henry, and Oldham, the seventeenth; Shelby and Spencer, the eighteenth; Nelson, Larue, and Bullitt, the nineteenth; Marion and Washington the twentieth; Mercer and Anderson, the twenty-first; Calloway, Trigg, and Marshall, the twenty-second; Lincoln and Pulaski the twenty-third; Madison and Garrard, the twenty-fourth; Laurel, Whitley, Knox, and Rockcastle, the twenty-fifth; Gallatin, Carroll, and Boone, the twenty-sixth; Kenton and Campbell, the twenty-seventh; Bourbon and Bath, the twenty-eighth; Grant, Pendleton, and Owen, the twenty-ninth; Harrison and Bracken, the thirtieth; Fayette and Scott, the thirty-first; Woodford, Jessamine, and Franklin, the thirty-second; Clarke, Montgomery, and Estill, the thirty-third; Carter, Greenup, and Lawrence, the thirty-fourth; Fleming and Nicholas, the thirty-fifth; Mason and Lewis, the thirty-sixth; Johnson, Morgan, Floyd, and Pike, the thirty-seventh; and Clay, Harlan, Owsley, Letcher, Breathitt, and Perry, the thirty-eighth.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Gilmore, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H—42.

Those who voted in the negative, were

James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—44.

Mr. Woodward moved a reconsideration of the vote rejecting said amendment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
Wm. T. Terrill,

Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Joseph H. Lewis,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward—46.

Those who voted in the negative, were

William W. Alexander,
James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
George W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—42.

The question was again taken on the adoption of the amendment of Mr. W. M. Green, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. A. H. Talbott and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
Wm. H. Grainger,
Wm. M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward—44.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
Wm. Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,

John W. Cook,	Stilwell Heady,	Basil G. Smith,
Winston J. Davie,	Lysander Hord,	Ambrose H. Talbott,
Asbury Dawson,	Samuel B. Jesup,	William T. Terrill,
Joseph Dougherty,	Daniel Landes,	John Tompson,
Alvin Duvall,	Peter Lashbrooke,	G. W. Williams, of B.
Richard H. Field,	Daniel Matthewson,	Marcus L. Williams,
Edgar B. Gaither,	Hiram McElroy,	Edmund Wooldridge—44.
Bernard H. Garrett,	James P. Metcalfe,	

Mr. Hanson moved to amend said bill in the second section, by striking out the words "Louisville city, the fifteenth; Jefferson and Bullitt, the sixteenth," and insert in lieu thereof the following: "Jefferson county, two Senators, thus: the 1st, 2d, 3d, 4th, 5th, and 6th wards of the city of Louisville, one, the fifteenth; and the 7th and 8th wards of said city, and the residue of said county, one, the sixteenth;" and to add "Oldham" to the seventeenth district, so as to make the counties of Henry, Trimble, and Oldham, form the seventeenth Senatorial District; and, by adding Spencer to the eighteenth Senatortal District, so as to make the counties of Shelby and Spencer form the eighteenth Senatorial District; adding Bullitt to the nineteenth district, so as to make the counties of Nelson, Bullitt, and Larue, form the nineteenth Senatorial District.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Owsley,
James M. Alexander,	William H. Grainger,	Thomas Y. Payne,
William W. Alexander,	William M. Green,	William Preston,
Robert A. Athey,	Thomas S. Grundy,	Edward C. Purdy,
R. T. Baker,	Samuel Hanson,	Thomas W. Riley,
Wm. Beeler,	William Harris,	Burwell C. Ritter,
George I. Brown,	P. B. Hawkins,	John Rodman,
John B. Bruner,	Randall G. Hays,	John L. Sallee,
George R. Burgess,	Samuel B. Jesup,	Ambrose H. Talbott,
William H. Calvert,	Samuel A. Kingman,	Jesse S. Taylor,
Robert H. Campbell,	Hiram Klette,	William T. Terrill,
Alexander P. Churchill,	Preston H. Leslie,	John F. Todd,
Edward F. Dulin,	Joseph H. Lewis,	Thomas Todd,
Robert English,	William C. Marshall,	Thomas W. Varnon,
Squire Gatliff,	John S. McFarland,	William T. Ward,
Samuel L. Geiger,	Strother D. Mitchell,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Joel Murphy,	James T. Woodward—51.

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	George H. Morrow,
William Bradley,	William M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Julian N. Phelps,
George T. Campbell,	George M. Hampton,	C. C. Rogers,
Henry R. D. Coleman,	Stilwell Heady,	Joseph W. Rowlett,

John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Lysander Hord,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
John Tompson,
G. W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—37.

Mr. Dulin moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hampton and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

R. T. Baker,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
John W. Cook,
Edward F. Dulin,
Joel Owsley,
John Shawhan—10.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
James B. Allen,
Robert A. Athey,
William Beeler,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—73.

Mr. Brittain moved to amend the first section of said bill, by striking out the sixth clause, and inserting in lieu thereof the following, viz:

Madison one, Garrard one, Whitley one, Knox one, Estill one, Laurel and Rockcastle one, Clay and Owsley one, Harlan and Perry one, Pike and Letcher one, Floyd and Johnson one.

Mr. Garrett moved to amend the amendment of Mr. Brittain, by substituting in lieu thereof the following, viz:

Madison one, Garrard one, Whitley one, Knox one, Estill one, Floyd one, Pike and Johnson one, Letcher, Perry and Harlan one, Clay and Owsley one, Laurel and Rockcastle one.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brittain and Landes, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Alvin Duvall,	Preston H. Leslie,
William Bradley,	Richard H. Field,	George H. Morrow,
Carlo B. Brittain,	Bernard H. Garrett,	John Shawhan,
Henry R. D. Coleman,	Samuel L. Geiger,	George W. Silvertooth,
John W. Cook,	Stilwell Heady,	Marcus L. Williams—17.
Winston J. Davie,	Daniel Landes,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Thomas S. Grundy,	Thomas Y. Payne,
William W. Alexander,	Samuel Hanson,	Julian N. Phelps,
Robert A. Athey,	William Harris,	William Preston,
R. T. Baker,	P. B. Hawkins,	Edward C. Purdy,
Wm. Beeler,	Randall G. Hays,	Thomas W. Riley,
George I. Brown,	Lysander Hord,	Burwell C. Ritter,
John B. Bruner,	Samuel B. Jesup,	John Rodman,
George R. Burgess,	George W. Kavanaugh,	C. C. Rogers,
Wm. H. Calvert,	Samuel A. Kingman,	Joseph W. Rowlett,
Robert H. Campbell,	Hiram Klette,	John L. Sallee,
George T. Campbell,	Peter Lashbrooke,	Basil G. Smith,
Asbury Dawson,	Joseph H. Lewis,	Jesse S. Taylor,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Edward F. Dulin,	Wm. C. Marshall,	John F. Todd,
Robert English,	Daniel Matthewson,	Thomas Todd,
Edgar B. Gaither,	Hiram McElroy,	John Tompson,
Squire Gatliff,	John S. McFarland,	Thomas W. Varnon,
Cyrenius W. Gilmore,	James P. Metcalfe,	William T. Ward,
John G. Gooch,	Strother D. Mitchell,	George W. Williams, of B.
Alfred F. Graham,	Joel Murphy,	G. W. Williams, of H.
William M. Gray,	Benjamin L. Owens,	James T. Woodward—65.
William M. Green,	Joel Owsley,	

Mr. Hanson moved to amend the amendment of Mr. Brittain, by substituting in lieu thereof the following, viz:

Madison two, Garrard one, Whitley one, Knox and Harlan one, Laurel and Rockcastle one, Letcher, Pike and Perry one, Clay and Owsley one, Floyd and Johnson one, and Estill one.

And the question being taken thereon, it was decided in the affirmative.

The amendment of Mr. Brittain, as amended, was then adopted.

Mr. W. W. Alexander moved to amend said bill in the second section by striking out of the 28th district the word "Bath," and insert the word "Scott."

Mr. Ward called for a division of the question.

The question was first taken on striking out the word "Bath," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Hampton, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Julian N. Phelps,
Joseph W. Rowlett,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—41.

Those who voted in the negative, were

James B. Allen,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
G. W. Williams, of H.
James T. Woodward—46.

And then the House adjourned.

WEDNESDAY, FEBRUARY 12, 1851.

1. Mr. Linn presented the petition of citizens of School District, No. 1, in Grant county, praying the passage of an act authorizing the Trustees of said school to receive and charge for the tuition of day scholars.

2. Mr. Hanson presented the petition of citizens of Clarke county, praying the establishment of a branch of some one of the present incorporated Banks of this State in Winchester.

3. Mr. Churchill presented a memorial from the Trustees of the University of Louisville, remonstrating against so much of the proposed new charter of the city of Louisville, as interferes with the charter of said University.

4. Mr. Payne presented the petition from sundry citizens of Mason county, praying the establishment of a voting place at the house of Foster Moore, in said county.

5. Mr. Kavanaugh presented the petition of the School Commissioner of Anderson county, praying that an act may be passed, authorizing the payment of the proportion of the school fund, that districts, Nos. 1, 7, and 20, were entitled to for 1850.

6. Mr. Hanson presented the petition of Charles Eginton, praying the passage of an act amending the charter of the Paris, Winchester, and Kentucky River Turnpike Road Company.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on Education; the 2d to the committee on Banks; the 3d and 6th to the committee on the Judiciary; and the 4th to Messrs. Payne, Rowlett, and Davie.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in this House, entitled, an act for the benefit of School District, No. 1, in Lawrence county, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the Senate, entitled, an act to provide for the interment of the remains of the Kentuckians who fell at Raisin, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of John G. Parks, Clerk of the Nicholas County Court.

An act to authorize the Shelby County Court to sell and convey the Poor House, in said county.

An act to incorporate Germantown Lodge, No. 207, of Free and Accepted Masons.

An act to incorporate the Fredonia Cumberland Presbyterian Church, in Caldwell county.

An act to incorporate Bullitt Royal Arch Chapter, No. 44.

An act to amend the charter of the Lexington and Danville Railroad Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the amendments proposed by this House, to a bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax.

Ordered, That the further consideration of said amendments be postponed for the present.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to incorporate the Louisville Paper Mill.

By the committee on Religion—2. A bill to incorporate the Cumberland Presbyterian Church, in the town of Paducah.

By same—3. A bill to incorporate Hobson Lodge, No. 63, I. O. O. F.

By the committee on Education—4. A bill to incorporate the Carrollton Library Society.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing their concur-

rence in the amendments of this House, to a bill from the Senate, entitled, an act requiring Assessors of Tax to return the names and post-offices of the Deaf and Dumb children in the several counties.

That they had passed a bill from this House, entitled, an act for the benefit of Asbury Chapel, in the city of Louisville.

That they had passed bills of the following titles, viz:

An act to provide for the appointment of Circuit Judges *pro tem.*

An act for the benefit of Mrs. Ann Ellis, of Todd county.

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of John M. Gallaher, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Claims.

Mr. Rogers, from the committee on Education, to whom was referred a bill to amend the Common School law, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

The House again resumed the consideration of the bill to apportion representation.

Mr. Hord moved the following as an amendment, in lieu of the amendment proposed by Mr. Davie, viz:

§ 2. That for the purpose of apportioning the representation in the Senate, the State is hereby laid off into thirty-eight Senatorial districts, as follows, viz: the counties of Fulton, Hickman, Ballard, and Graves, shall compose the first district; Calloway, Marshall, McCracken, and Livingston, the second; Crittenden, Union, and Henderson, the third; Caldwell and Hopkins, the fourth; Christian and Trigg, the fifth; Todd, Muhlenburg, and Butler, the sixth; Daviess and Ohio, the seventh; Logan, Simpson, and Allen, the eighth; Warren, Edmonson, and Hart, the ninth; Hancock, Breckinridge, and Grayson, the tenth; Barren and Monroe, the eleventh; Hardin and Meade, the twelfth; Larue, Greene, and Taylor, the thirteenth; Cumberland, Clinton, Wayne, and Russell, the fourteenth; Boyle, Casey, and Adair, the fifteenth; Washington and Marion, the sixteenth; Nelson, Spencer, and Anderson, the seventeenth; Louisville city, the eighteenth; Jefferson and Bullitt, the nineteenth; Shelby and Oldham, the twentieth; Henry, Trimble, and Carroll, the twenty-first; Franklin, Woodford, and Jessamine, the twenty-second; Mercer and Garrard, the twenty-third; Lincoln and Pulaski, the twenty-fourth; Madison and Estill, the twenty-fifth; Rockcastle, Laurel, Whitley, and Knox, the twenty-sixth; Clay, Owsley, Letcher, Perry, Harlan, and Breathitt, the twenty-seventh; Lawrence, Johnson, Pike, and Floyd, the twenty-eighth; Greenup, Carter, and Lewis, the twenty-ninth; Clarke, Montgomery, and Morgan, the thirtieth; Fleming and Bath, the thirty-first; Mason and Bracken, the thirty-second; Harrison and Nicholas, the thirty-third; Bourbon and Fayette, the thirty-fourth; Scott and Owen, the thirty-fifth; Boone, Gallatin, and Grant, the thirty-sixth; Kenton the thirty-seventh; Campbell and Pendleton, the thirty-eighth.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Gaither, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Bernard H. Garrett,	James P. Metcalfe,
Carlo B. Brittain,	Alfred F. Graham,	Julian N. Phelps,
George T. Campbell,	Wm. M. Gray,	Edward C. Purdy,
John W. Cook,	George M. Hampton,	C. C. Rogers,
Lucius Desha,	Stilwell Heady,	Joseph W. Rowlett,
Joseph Dougherty,	Lysander Hord,	John Shawhan,
Alvin Duvall,	Peter Lashbrooke,	Ambrose H. Talbott,
Richard H. Field,	Andrew S. Linn,	John Tompson,
Edgar B. Gaither,	Daniel Matthewson,	Thomas W. Varnon—27.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Murphy,
James M. Alexander,	Wm. H. Grainger,	Benjamin L. Owens,
John B. Arnold,	William M. Green,	Joel Owsley,
Robert A. Athey,	Thomas S. Grundy,	Thomas Y. Payne,
R. T. Baker,	Samuel Hanson,	William Preston,
William Beeler,	Wm. Harris,	Thomas W. Riley,
Wm. Bradley,	P. B. Hawkins,	Burwell C. Ritter,
George I. Brown,	Randall G. Hays,	John Rodman,
John B. Bruner,	Samuel B. Jesup,	John L. Sallee,
George R. Burgess,	George W. Kavanaugh,	George W. Silvertooth,
William H. Calvert,	Samuel A. Kingman,	Basil G. Smith,
Robert H. Campbell,	Hiram Klette,	Jesse S. Taylor,
Alexander P. Churchill,	Daniel Landes,	Wm. T. Terrill,
Henry R. D. Coleman,	Preston H. Leslie,	John F. Todd,
Winston J. Davie,	Joseph H. Lewis,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	William T. Ward,
Edward F. Dulin,	Wm. C. Marshall,	G. W. Williams, of B.
Robert English,	Hiram McElroy,	G. W. Williams, of H.
Squire Gatliff,	John S. McFarland,	Marcus L. Williams,
Samuel L. Geiger,	Strother D. Mitchell,	James T. Woodward,
Cyrenius W. Gilmore,	George H. Morrow,	Edmund Wooldridge—63.

Mr. Klette moved the following as an amendment in lieu of the amendment proposed by Mr. Davie, viz:

§ 2. That for the purpose of apportioning the representation in the Senate, the State is hereby laid off into thirty-eight Senatorial districts, to-wit: Hickman, Ballard, Graves, and Fulton, the first district; Livingston, Caldwell, and McCracken, the second; Calloway, Marshall, and Trigg, the third; Union, Hopkins, and Crittenden, the fourth; Henderson and Daviess, the fifth; Muhlenburg, Ohio, and Butler, the sixth; Christian and Todd, the seventh; Hancock, Breckinridge, and Grayson, the eighth; Simpson, Logan, and Allen, the ninth; Edmonson, Warren, and Hart, the tenth; Barren and Monroe, the eleventh; Hardin, Meade, and Larue, the twelfth; the first, second, third, fourth, fifth, and sixth wards of the city of Louisville, the thirteenth; the seventh and eighth

wards of the city of Louisville, and Jefferson county, the fourteenth; Nelson, Bullitt, and Spencer, the fifteenth; Green, Adair, and Taylor, the sixteenth; Clinton, Cumberland, Wayne, and Russell, the seventeenth; Lincoln, Casey, and Boyle, the eighteenth; Mercer and Garrard, the nineteenth; Pulaski and Whitley, the twentieth; Marion and Washington, the twenty-first; Shelby and Anderson, the twenty-second; Henry, Oldham, and Trimble, the twenty-third; Gallatin, Boone, and Carroll, the twenty-fourth; Pendleton, Campbell, and Grant, the twenty-fifth; Kenton the twenty-sixth; Scott and Owen, the 27th; Bracken and Nicholas, the twenty-eighth; Bourbon and Harrison, the twenty-ninth; Woodford, Franklin, and Jessamine, the thirtieth; Fayette and Clarke, the thirty-first; Mason and Lewis, the thirty-second; Fleming and Bath, the thirty-third; Carter, Lawrence, and Greenup, the thirty-fourth; Montgomery, Morgan, Breathitt, and Owsley, the thirty-fifth; Floyd, Johnson, Perry, Pike, and Letcher, the thirty-sixth; Madison and Estill, the thirty-seventh; Knox, Harlan, Laurel, Clay, and Rockcastle, the thirty-eighth.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Varnon and Dawson, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	William M. Gray,	Hiram McElroy,
John B. Arnold,	Norvin Green,	George H. Morrow,
George T. Campbell,	George M. Hampton,	Julian N. Phelps,
Richard H. Field,	Stilwell Heady,	C. C. Rogers,
Edgar B. Gaither,	Hiram Klette,	Ambrose H. Talbott,
Bernard H. Garrett,	Peter Lashbrooke,	Thomas W. Varnon,
Samuel L. Geiger,	Daniel Matthewson,	Marcus L. Williams—21.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Strother D. Mitchell,
James M. Alexander,	Alfred F. Graham,	Joel Murphy,
James B. Allen,	Wm. H. Grainger,	Benjamin L. Owens,
Robert A. Athey,	William M. Green,	Joel Owsley,
R. T. Baker,	Thomas S. Grundy,	Thomas Y. Payne,
William Beeler,	Samuel Hanson,	Edward C. Purdy,
William Bradley,	Wm. Harris,	Burwell C. Ritter,
Carlo B. Brittain,	P. B. Hawkins,	John Rodman,
George I. Brown,	Randall G. Hays,	Joseph W. Rowlett,
John B. Bruner,	Lysander Hord,	John L. Sallee,
George R. Burgess,	Samuel B. Jesup,	John Shawhan,
William H. Calvert,	George W. Kavanaugh,	George W. Silvertooth,
Robert H. Campbell,	Samuel A. Kingman,	Basil G. Smith,
Henry R. D. Coleman,	Daniel Landes,	Jesse S. Taylor,
John W. Cook,	Preston H. Leslie,	William T. Terrill,
Winston J. Davie,	Joseph H. Lewis,	John F. Todd,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Lucius Desha,	Caleb W. Logan,	John Tompson,
Joseph Dougherty,	George W. Mansfield,	William T. Ward,
Edward F. Dulin,	William C. Marshall,	G. W. Williams, of H.
Robert English,	John S. McFarland,	James T. Woodward,
Squire Gatliff,	James P. Metcalfe,	Edmund Wooldridge—67.
Cyrenius W. Gilmore,		

Mr. Dawson moved a reconsideration of the vote of yesterday, rejecting the amendment moved by Mr. W. W. Alexander to the second section of said bill.

Mr. Ward moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Strother D. Mitchell,
James M. Alexander,	William H. Grainger,	Joel Murphy,
Robert A. Athey,	William M. Green,	Joel Owsley,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
William Beeler,	William Harris,	Wm. Preston,
George I. Brown,	P. B. Hawkins,	Edward C. Purdy,
John B. Bruner,	Randall G. Hays,	Burwell C. Ritter,
George R. Burgess,	Lysander Hord,	John Rodman,
William H. Calvert,	Samuel B. Jesup,	John L. Sallee,
Robert H. Campbell,	Samuel A. Kingman,	John Shawhan,
Alexander P. Churchill,	Preston H. Leslie,	Jesse S. Taylor,
Edward F. Dulin,	Andrew S. Linn,	Wm. T. Terrill,
Robert English,	Caleb W. Logan,	John F. Todd,
Squire Gatliff,	William C. Marshall,	Thomas Todd,
Samuel L. Geiger,	John S. McFarland,	William T. Ward,
Cyrenius W. Gilmore,	James P. Metcalfe,	G. W. Williams, of H—48.

Those who voted in the negative, were

William W. Alexander,	Alfred F. Graham,	George H. Morrow,
James B. Allen,	William M. Gray,	Benjamin L. Owens,
John B. Arnold,	Norvin Green,	Julian N. Phelps,
William Bradley,	Thomas S. Grundy,	C. C. Rogers,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Stilwell Heady,	George W. Silvertooth,
John W. Cook,	George W. Kavanaugh,	Basil G. Smith,
Winston J. Davie,	Hiram Klette,	Ambrose H. Talbott,
Asbury Dawson,	Daniel Landes,	John Tompson,
Lucius Desha,	Peter Lashbrooke,	Thomas W. Varnon,
Joseph Dougherty,	Joseph H. Lewis,	George W. Williams, of B.
Alvin Duvall,	George W. Mansfield,	Marcus L. Williams,
Richard H. Field,	Daniel Matthewson,	James T. Woodward,
Edgar B. Gaither,	Hiram McElroy,	Edmund Wooldridge—43.
Bernard H. Garrett,		

The question was then taken on the adoption of the amendment proposed by Mr. Davie, in lieu of the second section of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett, and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
Wm. Bradley,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Marcus L. Williams—34.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Wm. H. Grainger,
William M. Gray,
Wm. M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—58.

Mr. Allen moved the following amendment in lieu of the second section of said bill, viz:

§ 2. That for the purpose of apportioning the representation in the Senate, the State is hereby laid off into thirty-eight Senatorial districts, as follows, viz: the counties of Fulton, Hickman, Ballard, and Graves, shall constitute the first senatorial district; McCracken, Calloway, Marshall, and Livingston, the second; Crittenden, Union, and Henderson, the third; Caldwell and Hopkins, the fourth; Trigg and Christian, the fifth; Todd, Muhlenburg, and Butler, the sixth; Logan and Warren, the seventh; Simpson, Allen, and Monroe, the eighth; Barren and Hart, the ninth; Edmonson, Grayson, and Hardin, the tenth; Ohio and Daviess, the eleventh; Hancock, Breckinridge, and Meade, the twelfth; the first, second, third, fourth, fifth, and sixth wards of the city of Louisville, the thirteenth; the eighth and ninth wards of Louisville, and the residue of Jefferson county, the fourteenth; Bullitt, Spencer, and Nelson, the fifteenth; Washington, Marion, and Taylor, the sixteenth; Larue, Green, and Adair, the seventeenth; Russell, Clinton, Cumberland, and Wayne, the eighteenth; Lincoln and Pulaski, the nineteenth; Casey Boyle, and

Mercer, the twentieth; Garrard and Madison, the twenty-first; Fayette and Jessamine, the twenty-second; Woodford, Anderson, and Franklin, the twenty-third; Shelby and Oldham, the twenty-fourth; Henry, Trimble, and Carroll, the twenty-fifth; Boone, Gallatin, and Grant, the twenty-sixth; Owen and Scott, twenty-seventh; Harrison and Nicholas, the twenty-eighth; Bourbon and Clarke, the twenty-ninth; Bath, Montgomery, and Estill, the thirtieth; Rockcastle, Laurel, Whitley, and Knox, the thirty-first; Owsley, Breathitt, Clay, Perry, Harlan, and Letcher, the thirty-second; Pike, Floyd, Johnson, and Morgan, the thirty-third; Lawrence, Carter, and Greenup, the thirty-fourth; Fleming and Lewis, the thirty-fifth; Mason and Bracken, the thirty-sixth; Pendleton and Campbell, the thirty-seventh; Kenton the thirty-eighth.

Mr. Cook moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davie and Rowlett,, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
John W. Cook,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
John Shawhan,
Jesse S. Taylor,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H—43.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—46.

The question was then taken on the adoption of the amendment proposed by Mr. Allen, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilmore and Davie, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
William M. Gray,
Norvin Green,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
John Tompson—34.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—53.

Mr. Klette moved to amend said bill in the second section, by striking out in the 27th district the words, "and Campbell."

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davie and Hampton, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
William Bradley,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
C. C. Rogers,
Joseph W. Rowlett,

Winston J. Davie,	Hiram Klette,	John Shawhan,
Asbury Dawson,	Daniel Landes,	George W. Silvertooth,
Lucius Desha,	Peter Lashbrooke,	Basil G. Smith,
Bernard H. Garrett,	George W. Mansfield,	Ambrose H. Talbott,
Alfred F. Graham,	Daniel Matthewson,	William T. Terrill,
William M. Gray,	Hiram McElroy,	John Tompson—33.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Thomas Y. Payne,
John B. Arnold,	John G. Gooch,	Julian N. Phelps,
Robert A. Athey,	William H. Grainger,	William Preston,
R. T. Baker,	William M. Green,	Edward C. Purdy,
William Beeler,	Samuel Hanson,	Thomas W. Riley,
Carlo B. Brittain,	William Harris,	Burwell C. Ritter,
George I. Brown,	P. B. Hawkins,	John Rodman,
John B. Bruner,	Randall G. Hays,	John L. Sallee,
George R. Burgess,	Lysander Hord,	Jesse S. Taylor,
William H. Calvert,	Samuel B. Jesup,	John F. Todd,
Robert H. Campbell,	Samuel A. Kingman,	Thomas Todd,
Joseph Dougherty,	Preston H. Leslie,	Thomas W. Varnon,
Edward F. Dulin,	Joseph H. Lewis,	William T. Ward,
Robert English,	Andrew S. Linn,	G. W. Williams, of B.
Richard H. Field,	John S. McFarland,	G. W. Williams, of H.
Edgar B. Gaither,	Strother D. Mitchell,	Marcus L. Williams,
Squire Gatliff,	Joel Murphy,	James T. Woodward—53.
Samuel L. Geiger,	Joel Owsley,	

Mr. Arnold moved to amend the second section by striking from the 23d district the county of "Madison," and inserting in lieu thereof the counties of "Lincoln and Rockcastle."

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilmore and Ward, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Thomas S. Grundy,	Benjamin L. Owens,
John B. Arnold,	George M. Hampton,	William Preston,
William Bradley,	Stilwell Heady,	C. C. Rogers,
William H. Calvert,	George W. Kavanaugh,	Joseph W. Rowlett,
George T. Campbell,	Samuel A. Kingman,	John Shawhan,
Henry R. D. Coleman,	Hiram Klette,	George W. Silvertooth,
Winston J. Davie,	Daniel Landes,	Basil G. Smith,
Asbury Dawson,	Peter Lashbrooke,	Ambrose H. Talbott,
Joseph Dougherty,	Preston H. Leslie,	John Tompson,
Bernard H. Garrett,	George W. Mansfield,	Thomas W. Varnon,
Alfred F. Graham,	Hiram McElroy,	Marcus L. Williams—35.
Norvin Green,	George H. Morrow,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Murphy,
Robert A. Athey,	John G. Gooch,	Joel Owsley,
R. T. Baker,	Wm. H. Grainger,	Thomas Y. Payne,

William Beeler,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
John W. Cook,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
William M. Gray,
William M. Green,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Samuel B. Jesup,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—52.

Mr. Arnold moved to amend the second section of said bill by striking from the 23d district the county of "Madison," and inserting in lieu thereof the counties of "Lincoln and Boyle."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Arnold and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Bradley,
Wm. H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Bernard H. Garrett,
Alfred F. Graham,
Norvin Green,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Marcus L. Williams—31.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
Alexander P. Churchill,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Grainger,
Wm. M. Gray,
Wm. M. Green,
Thomas S. Grundy,
Samuel Hanson,
Wm. Harris.
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,

Squire Gatliff, Caleb W. Logan, William T. Ward,
Samuel L. Geiger, Daniel Matthewson, George W. Williams, of B.
Cyrenius W. Gilmore, John S. McFarland, G. W. Williams, of H.
John G. Gooch, Strother D. Mitchell, James T. Woodward—57.

Mr. Hampton moved to amend said bill in the second section, and 35th district, by striking out "Nicholas," and insert "Bath."

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hampton and Williams, of Bourbon, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen, George M. Hampton, George H. Morrow,
Wm. Bradley, Randall G. Hays, Benjamin L. Owens,
Carlo B. Brittain, Stilwell Heady, Julian N. Phelps,
Henry R. D. Coleman, George W. Kavanaugh, John Rodman,
John W. Cook, Samuel A. Kingman, C. C. Rogers,
Asbury Dawson, Daniel Landes, Joseph W. Rowlett,
Lucius Desha, Peter Lashbrooke, George W. Silvertooth,
Joseph Dougherty, Preston H. Leslie, Basil G. Smith,
Squire Gatliff, Joseph H. Lewis, John Tompson,
Alfred F. Graham, George W. Mansfield, Thomas W. Varnon,
Wm. M. Gray, Daniel Matthewson, G. W. Williams, of B.
Norvin Green, Hiram McElroy, Marcus L. Williams—36.

Those who voted in the negative, were

Mr. Speaker, (Johnston,) Samuel L. Geiger, Joel Murphy,
James M. Alexander, Cyrenius W. Gilmore, Joel Owsley,
John B. Arnold, John G. Gooch, Thomas Y. Payne,
Robert A. Athey, Wm. H. Grainger, William Preston,
R. T. Baker, William M. Green, Edward C. Purdy,
William Beeler, Thomas S. Grundy, Thomas W. Riley,
George I. Brown, Samuel Hanson, Burwell C. Ritter,
John B. Bruner, Wm. Harris, John L. Sallee,
George R. Burgess, P. B. Hawkins, John Shawhan,
William H. Calvert, Lysander Hord, Ambrose H. Talbott,
Robert H. Campbell, Samuel B. Jesup, Jesse S. Taylor,
Winston J. Davie, Hiram Klette, Wm. T. Terrill,
Edward F. Dulin, Andrew S. Linn, John F. Todd,
Robert English, Caleb W. Logan, Thomas Todd,
Richard H. Field, John S. McFarland, William T. Ward,
Edgar B. Gaither, James P. Metcalfe, G. W. Williams, of H.
Bernard H. Garrett, Strother D. Mitchell, James T. Woodward—51.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
John F. Todd,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—47.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
Marcus L. Williams—44.

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY; FEBRUARY 13, 1851.

1. Mr. Varnon presented the petition of D. F. Smith, praying compensation for apprehending a fugitive from justice.

2. Mr. Linn presented the remonstrance of sundry citizens of the town of Crittenden, against an act of incorporation of said town.

3. Mr. Beeler presented the petition of sundry citizens of Larue county, praying that Aaron Dawson may be permitted to peddle goods without paying license.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d to the committee on the Judiciary; and the 3d to the committee on Ways and Means.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of Charles P. Tate, late Sheriff of Casey county.

That they had passed bills of the following titles, viz:

An act to incorporate the Falls City Insurance Company of Louisville.

An act to incorporate the Grand Temple of Honor of the State of Kentucky, and the subordinate Temples.

An act to amend an act, entitled, an act to incorporate the Columbus Fire, Life, and Marine Insurance Company.

An act to amend an act, entitled, an act to incorporate the Hopkinsville Fire, Life, and Marine Insurance Company.

An act in relation to the city of Newport.

An act to incorporate the Narrows Bridge Company.

An act to provide for the payment of State bonds and coupons that are lost.

An act for the benefit of Abraham Boyd, of Trigg county.

Mr. Garrett moved the following resolution, viz:

Resolved, That the committee on the Court of Appeals are hereby instructed to report a bill, providing for branching the Court of Appeals, and report the same at as early a day as possible.

Mr. W. M. Green moved the following amendment as a substitute for said resolution, viz:

That, in the opinion of this House, it is inexpedient to branch the Court of Appeals.

Mr. Duvall moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment of Mr. W. M. Green be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Arnold, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Squire Gatliff,
Samuel L. Geiger,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
Joel Murphy,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
George W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—59.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George R. Burgess,
Wm. H. Calvert,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Edgar B. Gaither,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
George M. Hampton,
Randall G. Hays,
Samuel B. Jesup,
Daniel Landes,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Benjamin L. Owens,
Burwell C. Ritter,
George W. Silvertooth,
John F. Todd,
William T. Ward,
Edmund Wooldridge—31.

The said resolution, as amended, was then adopted.

On motion of Mr. Grundy,

Leave was given to bring in a bill to amend an act, entitled, an act to incorporate the Literary Institution of St. Magdalens, in Washington county, approved December 19, 1839.

Ordered, That Messrs. Grundy, Purdy, and Taylor, prepare and bring in the same.

Mr. Hampton moved to suspend the rules in order to enable him to offer the following preamble and resolution, viz:

Whereas, there has occurred a defalcation of $52,217 32 in the treasury of Kentucky: and, whereas, there has occurred a loss to the State

of a sum of about $30,000, in the Old Bank of Kentucky; all of which losses were in consequence of the neglect of Robert P. Letcher and William Owsley, ex-Governors of Kentucky: Therefore,

Resolved by the House of Representatives, That his Excellency, the Governor, be requested to inform the House whether sufficient security has been entered in the bond of the present Treasurer, to indemnify the State against further losses.

And the question being taken on suspending the rules, it was decided in the negative; it requiring a majority of two-thirds.

The yeas and nays being required thereon by Messrs. Rowlett and Hampton, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Benjamin L. Owens,
Julian N. Phelps,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John F. Todd,
John Tompson,
William T. Ward,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—55.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Edward F. Dulin,
Cyrenius W. Gilmore,
William H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Andrew S. Linn,
Caleb W. Logan,
Wm. C. Marshall,
John S. McFarland,
Joel Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas Todd,
G. W. Williams, of H.
Edmund Wooldridge—31.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Ways and Means—1. A bill for the benefit of the securities of James White, Deputy Sheriff of Mason county.

By the committee on Education—2. A bill regulating the distribution and re-investment of the income of the funds set apart for Common School purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was made the special order for the 17th instant.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 2d bill for the use of the members of the General Assembly.

The House then took up the bill to establish a Code of Practice in civil cases, in the Courts of this Commonwealth.

The amendments proposed by the committee to said bill were then concurred in.

Mr. Silvertooth moved an amendment to said bill.

And then the House adjourned.

FRIDAY, FEBRUARY 14, 1851.

1. Mr. Desha presented the proceedings of a meeting at Colemansville, Harrison county, relative to the removal of the county seat of said county.

2. Also, the remonstrance of the County Court of Harrison county, against the removal of the seat of justice of said county.

3. Also, the remonstrance of sundry citizens of Harrison county, against the removal of the seat of justice of said county.

4. Mr. G. P. Brown presented the petition of sundry citizens of Madison, Rockcastle, and Laurel counties, in relation to the Madison Fork of the Wilderness road.

5. Mr. Gatliff presented the petition of the citizens of Williamsburg, in Whitley county, praying for a Police Judge.

6. Mr. Hays presented the petition of sundry citizens of Hardin county, praying a change in the place of voting in an election precinct in said county.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d, to the committee on Propositions and Grievances; the

4th and 5th to the committee on the Judiciary, and the 6th to Messrs. Payne, Rowlett, and Davie.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act for the benefit of the Sheriff of Bullitt county.

An act for the benefit of the Sheriffs of Hopkins and Logan counties.

An act for the benefit of the securities of James White, Deputy Sheriff of Mason county.

Mr. Athey moved the following resolution, viz:

Resolved, That Charles A. Wickliffe, S. S. Nicholas, and Squire Turner, Commissioners to revise the statutes; and M. C. Johnson, Preston S. Loughborough, and James Harlan, Commissioners to prepare a Code of Practice, are hereby invited to take seats within the bar of this House, during its present session.

Which was adopted.

On motion of Mr. Preston,

Leave of absence, for four days, was granted to Mr. Burgess.

The Speaker laid before the House a communication from the Treasurer, which is as follows, viz:

To the Speaker of the House of Representatives.

Having understood that a resolution was presented to the House over which you preside, asking information in regard to the bond of the Treasurer, and the sufficiency of the surities on said bond; and learning, also, that the House refused to suspend the rules, that the resolution might be presented, I have thought it due to the gentleman or gentlemen desiring the information, as well as due to myself, to respond at once to the resolution, so far as I am able to do so, without awaiting the suspension of the rules or passage of the proposed resolution.

Therefore, with the utmost respect, I beg leave to state, that I executed bond as Treasurer in the penalty of one hundred thousand pounds, or $333,333 33\frac{1}{3}$, with several gentlemen as my surities; that it was submitted by the predecessor of the present Chief Magistrate, to the Senate, as the law requires, for the approval of that body; that it was unanimously approved by the Senate as a "good and *sufficient* bond," and is now on file in the Department of State.

I beg leave, further, most respectfully to state, that as soon as that bond expires, I stand prepared to execute another, under my late election, which I hope will be as satisfactory to the pesent, as that now on file was to the former Senate.

I am, very respectfully, yours, &c.,

R. C. WINTERSMITH.

On motion of Mr. Ritter,

Leave was given to bring in a bill to incorporate the Russellville Division, No. 51, Sons of Temperance.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined an enrolled bill, from this House, entitled, an act for the benefit of the securities of James White, Deputy Sheriff of Mason county.

And an act which originated in the Senate, entitled, an act for the benefit of Caroline Ellis, and others.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Kavanaugh, from the committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled, an act to change the place of voting from Mason Gardner's to John F. Blandford's, in Marion county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill for the benefit of William Kouns, of Greenup county, reported the same with an amendment, which was concurred in.

The said bill, as amended, reads as follows, viz:

Whereas, it is represented to the Legislature of Kentucky, that William Kouns, of the county of Greenup, is a tavern-keeper, regularly licensed as such, and, as he lives some short distance from the public road leading from Greenupsburg to Grayson, he desires to keep his groceries, &c. on or near the road,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said Kouns, under his tavern license, which he now has, or any license he may hereafter obtain, to keep a tavern at his present tavern stand, may keep and vend any groceries or liquors in any house that he may procure for that purpose, on or near said public road; and for such selling he, the said Kouns, shall incur no penalty, by the retail, *or for keeping a tippling house;* and the said Kouns shall, by his tavern license, be as fully protected for any sale made in a house near or upon said road, as if said sale had been made in his tavern house; but he shall not be at liberty to sell at more than one house during the term of his said license.

Mr. M. L. Williams, moved to amend said bill by striking out the words, "or for keeping a tippling house."

Mr. Purdy moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Dulin, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
John G. Gooch,
William M. Gray,
Wm. M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
Thomas W. Varnon,
James T. Woodward—50.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William H. Calvert,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
George M. Hampton,
Stilwell Heady,
George W. Kavanaugh,
Peter Lashbrooke,
William C. Marshall,
Hiram McElroy,
Morton P. Moore,
Wm. Preston,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
John Tompson,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—28.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Road Company.

An act to amend the charter of the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Privileges and Elections—1. A bill relative to holding elections in certain districts in Owen and Mason counties.

By same—2. A bill to extend the limits of the town of West Liberty.

By same—3. A bill changing the boundary lines of District, No. 8, in Carter county.

By the committee on the Judiciary—4. A bill to authorize the Trustees of Winchester to sell the stray-pen, and prescribing the duties of the Clarke County Court in regard to strays.

By same—5. A bill to amend an act, entitled, an act to incorporate the Paris, Winchester, and Kentucky River Turnpike Road Company, approved February 25, 1848.

By same—6. A bill to prevent the destruction of fish in Barebone creek, in Trimble county, and Floyd's Fork, in Jefferson county.

By same—7. A bill for the benefit of John Clay, of Nicholas county.

By same—8. A bill to incorporate Montgomery Lodge, No. 18, of the Independent Order of Odd Fellows.

By same—9. A bill to incorporate the town of Mountsterling.

By same—10. A bill to create the offices of Police Judge and Marshal in the town of Moscow, in Hickman county.

By the committee on Internal Improvement—11. A bill to encourage the construction of Plank, Turnpike, and Railroads in Daviess county.

By same—12. A bill to amend an act, entitled, an act to amend the charter of the Oakland Turnpike Company, approved February 14, 1850.

By same—13. A bill to amend the charter of the Covington and Lexington Railroad Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, reported a bill to authorize the county of Bourbon to issue bonds, and to subscribe stock in the Covington and Lexington, and Maysville and Lexington Railroad Company, which was read the first time.

The question was then put on reading said bill a second time, and the hour of 11 o'clock having arrived, the House proceeded to the orders of the day.

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

The amendment of Mr. Silvertooth to said bill was to strike out the 168th and 169th sections of said bill.

The said sections read as follows, viz:

§ 168. Every pleading must be subscribed by the party, or his attorney, and the petition, answer, and reply, must each be verified by the affidavit of the party, to the effect that he believes the statement thereof to be true. No pleading verified as herein required, shall be used against

the party, in any criminal prosecution, or action or proceeding for a penalty or forfeiture, as proof of a fact admitted or alleged in such pleading; and such verification shall not make any other or greater proof necessary on the side of the adverse party.

§ 169. The verification by affidavit mentioned in the last section, shall not be required to the answer of a guardian or committee defending for an infant, or person of unsound mind, or imprisoned; nor in any case where the admission of the truth of the allegations of the petition or answer might subject the party to a criminal or penal prosecution; nor to pleadings affecting injuries to person or character.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were

R. T. Baker,	Randall G. Hays,	Wm. C. Marshall,
William Bradley,	Stilwell Heady,	George H. Morrow,
William H. Calvert,	Lysander Hord,	Thomas W. Riley,
Edward F. Dulin,	George W. Kavanaugh,	John Rodman,
Edgar B. Gaither,	Samuel A. Kingman,	C. C. Rogers,
Bernard H. Garrett,	Peter Lashbrooke,	George W. Silvertooth,
Alfred F. Graham,	Preston H. Leslie,	Thomas W. Varnon,
Thomas S. Grundy,	Joseph H. Lewis,	G. W. Williams, of H—26.
P. B. Hawkins,	Andrew S. Linn,	

Those who voted in the negative, were

William W. Alexander,	Cyrenius W. Gilmore,	Benjamin L. Owens,
James B. Allen,	John G. Gooch,	Thomas Y. Payne,
Robert A. Athey,	Wm. H. Grainger,	Julian N. Phelps,
William Beeler,	William M. Gray,	William Preston,
Carlo B. Brittain,	William M. Green,	Edward C. Purdy,
George I. Brown,	George M. Hampton,	Burwell C. Ritter,
George P. Brown,	Samuel Hanson,	Joseph W. Rowlett,
John B. Bruner,	Wm. Harris,	John L. Sallee,
George T. Campbell,	Samuel B. Jesup,	John Shawhan,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
John W. Cook,	Caleb W. Logan,	Albert G. Talbott,
Winston J. Davie,	George W. Mansfield,	Jesse S. Taylor,
Asbury Dawson,	Daniel Matthewson,	William T. Terrill,
Lucius Desha,	Hiram McElroy,	John Tompson,
Alvin Duvall,	John S. McFarland,	William T. Ward,
Richard H. Field,	James P. Metcalfe,	G. W. Williams, of B.
Squire Gatliff,	Morton P. Moore,	James T. Woodward—53.
Samuel L. Geiger,	Joel Murphy,	

Mr. Hord moved an amendment to said bill.

And then the House adjourned.

SATURDAY, FEBRUARY 15, 1851.

1. Mr. Geiger presented the petition of certain citizens of the city of Louisville, praying to be added to the county of Jefferson.

2. Mr. Hays presented the petition of sundry citizens of Hardin county, praying a change in the Magistrates' District in said county.

3. Mr. Taylor presented the petition of Benjamin N. Mitchell, praying compensation for keeping an idiot.

4. Mr. Metcalfe presented the petition of sundry citizens of Nicholas county, praying an alteration in Magistrates' District in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d and 4th to Messrs. Payne, Rowlett, and Davie, and the 3d to the committee on Claims.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to incorporate the Union Hotel Company, in Louisville.

An act to incorporate the Kentucky Savings Bank, in Louisville.

With an amendment to the last named bill.

Mr. Field, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to re-organize and regulate the office of Police Judge in the town of Hickman.

An act to incorporate the Marine Insurance Company, at Paducah.

An act to regulate tolls on turnpike roads in Mason county.

An act to authorize the Trustees of the town of Cadiz to sell a part of Main or Washington street, in said town.

An act to incorporate Lexington Division, No. 21, Sons of Temperance.

An act for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Court.

An act giving to the Clerk of the McCracken Circuit and County Court further time to list his fee bills.

An act for the benefit of the Justices of the Hickman County Court.

An act to amend an act, entitled, an act to incorporate the Lexington Fire, Life, and Marine Insurance Company, approved March 1, 1836.

An act for the benefit of Harvey M. Brown.

An act for the benefit of James J. Hall.

An act for the benefit of certain School Districts in the counties of Hart, Casey, Fulton, Bath, Owen, Clay, Johnson, Graves, Washington, and Henry.

An act for the benefit of the Trustees of Waidsboro'.

An act providing for the election of certain officers in the town of Paducah.

An act to regulate tolls on Turnpike Roads in Kenton county.

An act for the benefit of Asbury Chapel, in the city of Louisville.

An act to incorporate Mayfield Lodge, No. 146, of Free and Accepted Masons.

An act for the benefit of Charles P. Tate, late Sheriff of Casey county.

And bills which originated in the Senate, of the following titles, viz:

An act to incorporate Phœnix Lodge, No. 28, of the Independent Order of Odd Fellows.

An act to provide for the interment of the remains of the Kentuckians who fell at Raisin.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act to authorize the Shelby County Court to sell and convey the Poor House, in said county.

An act for the benefit of the Board of Trustees of Common Schools for the city of Covington.

An act to run and re-mark the boundary lines between the counties of Lewis and Mason.

An act for the benefit of John G. Parks, Clerk of the Nicholas County Court.

An act to incorporate Bullitt Royal Arch Chapter, No. 44.

An act to incorporate the Fredonia Cumberland Presbyterian Church, in Caldwell county.

An act to amend the charter of the Cave Hill Cemetery.

An act to amend an act establishing the Covington Commercial College.

An act to incorporate the Springfield and Marion County Turnpike Road Company.

An act concerning the Treasurer of Graves county.

An act granting the town of Salvisa a Police Judge and Town Marshal.

An act to incorporate Germantown Lodge, No. 207, of Free and Accepted Masons.

An act for the benefit of the widow and heirs at law of Samuel Scott, deceased.

An act to incorporate Hebron Lodge, No. 19, Independent Order of Odd Fellows.

An act to amend the act incorporating the Maysville and Lexington Railroad Company.

An act to condemn land in Fleming county for a burial ground.

An act to incorporate Salt River Lodge, No. 180, in the town of Mount Washington, in Bullitt county.

An act to incorporate Warren Lodge, No. 53, of Free and Accepted Masons, and Daviess Chapter, No. 28.

An act for the benefit of the children and heirs of Michael Duvane and Penelope Thornton, deceased.

An act to incorporate the Lexington Benevolent Female Society.

An act for the benefit of John B. Whalen, of Marion county.

An act to incorporate the Ciceronian Society of Shelby College.

An act to allow an additional Magistrates' and Constables' District, in the county of Barren.

An act to amend the charter of the Bowlinggreen and Tennessee Railroad Company.

An act to repeal an act for the benefit of Charles Rice, Sheriff of Carter county, approved December 18, 1850.

An act to change the place of voting in the 5th District, for the election of Justices of the Peace and Constables, in Trigg county.

An act requiring Assessors of Tax to return the names and post offices of the Deaf and Dumb children in the several counties.

An act to repeal an act, entitled, an act to establish one additional Justices' and Constables' District, in Fulton county.

An act to amend and reduce into one the several acts incorporating the Franklin Fire, Marine, and Life Insurance Company, of Louisville.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

A message was received from the Governor, by Mr. Smith, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act to incorporate the Mount Gilead and Mount Carmel Turnpike Road Company.

An act to create two additional Magistrates' and Constables' Districts in Oldham county.

An act to amend the charter of the Farmers Bank of Kentucky.

An act to establish twelve Judicial Circuit Districts.

Approved February 8, 1851.

An act in relation to the Seminary fund of McCracken county.

An act to incorporate Magnolia Lodge, No. 201, of Free and Accepted Masons.

An act to empower the County Court of Bracken to take stock in turnpike roads.

An act to incorporate the New Liberty and Kentucky River Turnpike Road Company.

An act to incorporate McKenzie Temple of Honor, No. 6.

An act to incorporate the South Elkhorn and Midway Turnpike Road Company.

An act to incorporate the Mayslick and Helena Turnpike Road Company.

An act for the benefit of the Sheriffs of Owen, Daviess, and Monroe counties.

An act to incorporate the Kentucky Female College, at Greensburg.

An act to amend an act giving to officers, crews, mechanics, and others, a lien on steamboats, approved January 28, 1837.

An act to authorize the County Courts to change the names of persons.

An act to incorporate Warren Lodge, No. 110, of Free and Accepted Masons.

An act to incorporate the Lexington Savings Institution.

An act to amend the law incorporating the Carrollton and Eagle Creek Turnpike Road Company.

An act to incorporate the Peach Orchard Coal Company.

Approved February 10, 1851.

An act for the benefit of School District, No. 1, in Lawrence county. Approved February 12, 1851.

The House again resumed the consideration of the bill to authorize the county of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and in the Maysville and Lexington Railroad Companies.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Rogers moved an amendment to said bill.

At quarter after one o'clock, P. M., Mr. Leslie moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Leslie, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Wm. M. Gray,	Benjamin L. Owens,
James B. Allen,	Thomas S. Grundy,	Thomas Y. Payne,
Robert A. Athey,	Wm. Harris.	Julian N. Phelps,

R. T. Baker,
John B. Bruner,
Wm. H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
William C. Marshall,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
William Preston,
Edward C. Purdy,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams—41.

Those who voted in the negative, were

John B. Arnold,
William Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Richard H. Field,
Samuel L. Geiger,
Alfred F. Graham,
Wm. M. Green,
George M. Hampton,
Samuel Hanson,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
George H. Morrow,
Joel Murphy,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Ambrose H. Talbott,
John Tompson,
Thomas W. Varnon,
George W. Williams, of B.
James T. Woodward—35.

MONDAY, FEBRUARY 17, 1851.

1. Mr. Williams, of Hancock, presented the petition of citizens of Districts, Nos. 4 and 5, in Ohio county, for the election of Justices and Constables, praying to be included in District No. 7.

2. Mr. Hampton presented the petition of citizens of Bath county, praying a change in the boundaries of two districts for the election of Justices and Constables, and to alter a voting place in said county.

3. Mr. Landes presented the petition of citizens of Trigg county, praying a change in a voting place in a district for election of Justices and Constables.

4. Mr. Field presented a petition from citizens of Bullitt county, praying the passage of a law preventing the hunting of deer with hounds, in this State.

5. Mr. Morrow presented a petition from citizens of Paducah, praying a change in the charter of said town.

6. Mr. Lashbrooke presented a petition from citizens of Germantown, in Mason county, praying the passage of an act incorporating a company to construct a Plank or Macadamized Road from Germantown to Gault's Mill.

7. Mr. McFarland presented a petition from citizens of Owensboro', praying an act of incorporation for the Owensboro' Building Company.

8. Mr. Gatliff presented a petition from citizens of Whitley county, praying that Cumberland River, above the falls to Cumberland Ford, be declared navigable.

9. Mr. Hays presented a memorial from citizens of Hardin county, remonstrating against the removal of a voting precint in said county.

10. Mr. Geiger presented a petition of sundry citizens of Jefferson county, praying the establishment of an additional voting precinct in said county.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 3d, and 9th to Messrs. Payne, Rowlett, and Davie; the 4th to the committee on Propositions and Grievances; the 5th, 6th, and 8th to the committee on Internal Improvement; the 7th to the committee on the Judiciary, and the 10th to the committee on Privileges and Elections.

Bills from the Senate, of the following titles, viz:

1. An act to provide for the appointment of Circuit Judges *pro tem.*

2. An act for the benefit of Mrs. Ann Ellis, of Todd county.

3. An act to incorporate the Falls City Insurance Company, at Louisville.

4. An act to incorporate the Grand Temple of Honor of the State of Kentucky, and the subordinate Temples.

5. An act to amend an act, entitled, an act to incorporate the Columbus Fire, Life and Marine Insurance Company.

6. An act to amend an act, entitled, an act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

7. An act relative to the city of Newport.

8. An act to incorporate the Narrows Bridge Company.

9. An act to provide for the payment of State bonds and *coupons* that are lost.

10. An act for the benefit of Abraham Boyd, of Trigg county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee on Circuit Courts; the 2d, 3d, 4th, 5th, 6th, 7th, and 8th to the committee on the Judiciary; the 9th to the committee on the Sinking Fund, and the 10th to the committee on Claims.

The amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to establish District, No. 7, in the county of Laurel, and for other purposes.

An act to incorporate the Kentucky Savings Bank, at Louisville.

Were taken up, twice read, and concurred in.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and declare the same a county road.

An act to repeal, in part, the law establishing the road from London, by way of Williamsburg, to the Tennessee line.

An act to amend the road law in Pendleton county.

An act to amend an act incorporating the Crab Orchard and Crew's Knob Turnpike Road Company, approved March 6, 1850.

That they had passed bills of the following titles, viz:

An act to revise the Statutes.

An act to regulate the election laws.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act in relation to Magistrates' and Constables' districts in Christian county.

An act to amend the charter of the Bank Lick Turnpike Road Company.

An act for the benefit of Lucretia Stephens, administratrix of James Stephens, deceased.

An act to incorporate the Licking Packet Company.

An act to authorize the Trustees of the town of Springfield to subscribe stock in a turnpike road. Approved February 8, 1851.

An act to amend the charter of the Lexington and Covington Turnpike Road Company.

An act to allow an additional Magistrates' and Constables' district in Pulaski county.

An act to authorize a change in the State road leading from Canton to Hickman.

An act to authorize the Clerk of the Allen Circuit Court to transmit certain papers, now in his possession, to the Clerk of the Barren Circuit Court.

An act in relation to Magistrates' and Constables' districts in Logan county.

An act for the benefit of David A. Knox.

An act to incorporate the Hopkinsville Baptist Female Institute.

An act in relation to the town of Glasgow.

An act to appoint two Trustees for Rockcastle Seminary, and for other purposes.

An act for the benefit of the heirs of Joseph Burnett, deceased.

An act to prevent the close shaving of the heads of convicts in the Penitentiary.

An act to incorporate the Pleasant Run Turnpike Road Company.

Approved February 10, 1851.

On motion of Mr. Calvert, leave was given to bring in a bill to incorporate the Erodelphian Society of Cumberland College, in Caldwell county.

Ordered, That Messrs. Calvert, McElroy, and Rogers prepare and bring in the same.

The House again resumed the consideration of the bill to authorize the county of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and Maysville and Lexington Railroad Companies.

On motion of Mr. Heady,

Ordered, That said bill be referred to the committee on the Judiciary, with instructions to report the same back to the House on Wednesday, at 10 o'clock, A. M.

A bill from the Senate, entitled, an act to regulate the election laws, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Privileges and Elections, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to authorize the town of Paducah to subscribe stock in a Plank Road, and the Duck River Slackwater Navigation Company.

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Grundy—1. A bill to amend an act to incorporate the literary institution of St. Magdalen, approved December 19, 1839.

By Mr. Gray—2. A bill to abolish the office of Second Auditor.

By the committee on Education—3. A bill to incorporate the University of Paducah.

By same—4. A bill for the benefit of Common Schools in Anderson county.

By the committee on the Judiciary—5. A bill for the benefit of Riley McGuire.

By same—6. A bill to incorporate Russellville Division, No. 51, Sons of Temperance.

By same—7. A bill to incorporate the Hancock Manufacturing Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th, and 7th, were severally ordered to be engrossed and read a third time, and the 2d was referred to the committee on Public Offices.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 5th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hord, from the committee on Printing, made the following report, viz:

The committee on Public Printing, to whom was referred a resolution, directing them "to inquire into and to report to this House, the rate of charges usually made for the Public Printing, and also, the cost of paper, and other expenses connected therewith, and whether there should be made any alterations in relation thereto;" have had the subject of said resolution under their consideration, and submit the following report:

The committee find that the rates and prices of the Public Printing are fixed and established by an act of the General Assembly, approved February 23, 1846. They have examined the rates of prices fixed by said act, and are of the opinion that said prices are fair and reasonable, and afford no more than a just compensation to the Public Printer.

By the second section of the same act, it is made the duty of the Second Auditor to purchase, on behalf of the State, all the paper used in the Public Printing, the cost of which, for each year, will be found in the annual report of that officer. The committee are of opinion that there should be no change made, either in the rate of prices of the Public Printing, or in the mode in which the paper used by the Public Printer is purchased They therefore asked to be discharged from the further consideration of said resolution.

And the question being taken on discharging said committee, it was decided in the affirmative.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Owen county, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to Messrs. Payne, Rowlett, and Davie.

Mr. Bradley, from the same committee, to whom was referred the petition of James J. Nelson and Benjamin Coe, and the petition of James A. Carr, and others, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition of citizens of Madison, Rockcastle, and Laurel counties; also, the petition of citizens of Laurel county, and the petition of citizens of district No. 3, in Wayne county, asked to be discharged from the further consideration of the same, which was granted.

Mr. Hanson, from the same committee, to whom was referred the amendment of the Senate, to a bill from this House, entitled, an act to establish the town of Crittenden, in the counties of Grant, Boone, and Kenton, and for other purposes, reported the same without amendment.

Ordered, That said bill and amendments be laid on the table.

A message was received from the Senate, asking leave to withdraw their report, announcing the passage of a bill, entitled, an act to revise the Statutes; which was granted, and the same was withdrawn.

Ordered, That Mr. Williams, of Hancock, be added to the committee appointed to consider petitions for changes in Justices' and Constables' Districts; and that Mr. Purdy be added to the committee on Claims.

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

Mr. Marshall moved to postpone the further consideration of said bill until the first Monday in August next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garrett, and Preston, were as follows, viz:

Those who voted in the affirmative, were

Lucius Desha,	Preston H. Leslie,	William C. Marshall,
Bernard H. Garrett,	Andrew S. Linn,	John Shawhan—6.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	William B. Murphy,
James B. Allen,	Wm. M. Gray,	Benjamin L. Owens,
Robert A. Athey,	Norvin Green,	Thomas Y. Payne,
R. T. Baker,	William M. Green,	Julian N. Phelps,
William Beeler,	Thomas S. Grundy,	William Preston,

Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Edward F. Dulin,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—72.

Mr. Ward moved to strike out the seventh clause of the 359th section.

The said clause reads as follows, viz:

The Court may then charge the jury. In charging the jury, the Court must state to them all matters of law it thinks necessary for their information in giving their verdict; and if the facts of the case are presented, it must inform the jury that they are the exclusive judges of all questions of fact.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
William Bradley,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Winston J. Davie,
Lucius Desha,
Edward F. Dulin,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
Thomas Y. Payne,
Julian N. Phelps,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
John Tompson,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—54.

Those who voted in the negative, were

James B. Allen, William S. Black, Carlo B. Brittain, George I. Brown, George T. Campbell, Henry R. D. Coleman, John W. Cook, Asbury Dawson, Richard H. Field, William H. Gardner, Bernard H. Garrett, Alfred F. Graham, Norvin Green, William M. Green, William Harris, Samuel B. Jesup, Caleb W. Logan, George W. Mansfield, Daniel Matthewson, Joel Murphy, William B. Murphy, Benjamin L. Owens, C. C. Rogers, Joseph W. Rowlett, John L. Sallee, George W. Silvertooth, Elisha F. Wells—27.

The 358th section of said bill reads as follows, viz:

§ 358. The general mode of summoning, impanelling, challenging and swearing the jury, is not changed by this Code. *But where, in any case, by the provision of this Code, it is in the discretion of the Court to order a jury to try an issue, ascertain a fact, or assess damages, the Court may direct a jury to be composed of six persons.*

Mr. Silvertooth moved to amend said section by striking out the word "six," and insert in lieu thereof the word "twelve."

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Ward, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander, John B. Arnold, William S. Black, William Bradley, Carlo B. Brittain, George R. Burgess, William H. Calvert, Henry R. D. Coleman, John W. Cook, Asbury Dawson, Lucius Desha, Edward F. Dulin, Richard H. Field, Edgar B. Gaither, William H. Gardner, Bernard H. Garrett, Samuel L. Geiger, Cyrenius W. Gilmore, John G. Gooch, Alfred F. Graham, Norvin Green, George M. Hampton, Lysander Hord, Samuel B. Jesup, George W. Kavanaugh, Samuel A. Kingman, Daniel Landes, Peter Lashbrooke, Preston H. Leslie, Andrew S. Linn, George W. Mansfield, John S. McFarland, Joel Murphy, William B. Murphy, Benjamin L. Owens, C. C. Rogers, Joseph W. Rowlett, John Shawhan, George W. Silvertooth, Basil G. Smith, Albert G. Talbott, Ambrose H. Talbott, John Tompson—43.

Those who voted in the negative, were

Mr. Speaker, (Johnston,) Wm. W. Alexander, James B. Allen, Robert A. Athey, R. T. Baker, Wm. Beeler, John B. Bruner, George T. Campbell, Winston J. Davie, Squire Gatliff, William M. Gray, William M. Green, Samuel Hanson, William Harris, P. B. Hawkins, Randall G. Hays, Caleb W. Logan, Daniel Matthewson, Hiram McElroy, James P. Metcalfe, Thomas Y. Payne, Julian N. Phelps, William Preston, Edward C. Purdy, Thomas W. Riley, Burwell C. Ritter, John L. Sallee, Jesse S. Taylor, Thomas W. Varnon, William T. Ward, Elisha F. Wells, G. W. Williams, of H. Edmund Wooldridge—33.

Mr. Preston moved to strike out so much of said section as is printed in *italics*.

And the question being taken thereon, it was decided in the affirmative.

And then the House adjourned.

TUESDAY, FEBRUARY 18, 1851.

1. Mr. Allen presented the petition of citizens of Henderson county, praying a change in a voting place in said county.

2. Mr. Varnon presented the petition of sundry citizens of Lincoln county, praying that Common School privileges be extended to the Parochial School of the Hanging Fork Presbyterian Church.

3. Mr. G. P. Brown presented the petition of E. Smith, and others, praying the passage of an act providing for the appointment of Trustees of the town of Mount Vernon, Rockcastle county.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Payne, Rowlett, Davie, and Williams of Hancock; the 2d to the committee on Education, and the 3d to the committee on the Judiciary.

A message was received from the Senate, announcing their disagreement to an amendment of this House to a bill from the Senate, entitled, an act to provide for the payment of the interest of the School Fund.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of James Clark, late Sheriff of Casey county.

An act for the benefit of William Abner, of Owsley county.

An act to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg.

An act for the benefit of the Portland Dry Dock and Insurance Company.

An act to extend the corporate limits of the town of Newport.

An act to amend the charter of East Maysville, in Mason county.

An act amending an act for the benefit of Mary Ridge and Maria Davenport, approved February 9, 1850.

An act to incorporate Wildey Lodge, No. 40, of I. O. O. F.

An act to incorporate Green River Lodge, No. 54, I. O. O. F., of Hopkinsville.

An act to change the time of holding the Court of Claims, in Fayette county.

An act to incorporate Hickman Lodge, No. 131, Free and Accepted Masons.

An act to change Magistrates' and Constables' Districts, No. 4, in Green; No. 1, in Crittenden, and the Lewisburg and Maysville Districts, in Mason county.

An act to establish the office of Town Marshal, in the town of Independence, in the county of Kenton.

An act to incorporate the Æolian Building Company, of the town of Bowlinggreen.

An act to extend the duty of the Commissioners of Tax.

An act to create the office of Police Judge, in the town of Clinton.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Sheperdsville Plank Road Company.

An act to amend an act, entitled, an act to incorporate the Linden Grove Cemetery Company, approved March 5, 1850.

An act defining the boundaries of the Magistrates' and Constables' Districts in Pulaski county.

An act to change the line of the first and second Districts for the election of Magistrates and Constables, in Caldwell County.

An act to change the lines of a Magistrate's and Constable's District in Boone county.

On motion of Mr. Rowlett,

Ordered, That leave of absence be granted to Mr. Hampton, indefinitely.

On motion of Mr. Williams, of Bourbon,

Ordered, That a message be sent to the Senate, to ask leave to withdraw the report of this House, announcing their concurrence in the amendment of the Senate to a bill from the House, entitled, an act to incorporate the Deposit Bank of Paris, Bourbon county.

After a short time, the messager returned with said bill.

Mr. Williams, of Bourbon, then moved to reconsider the vote concurring in the amendment of the Senate to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was again taken on concurring in the amendment proposed by the Senate, and it was decided in the negative.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act to incorporate the Falls City Insurance Company of Louisville.

An act for the benefit of Mrs. Ann Ellis, of Todd county.

An act to amend an act, entitled, an act to incorporate the Hopkinsville Fire, Life, and Marine Insurance Company.

An act to incorporate the Grand Temple of Honor of the State of Kentucky, and the subordinate Temples.

An act in relation to the city of Newport.

An act to incorporate the Narrows Bridge Company.

An act to amend an act, entitled, an act to incorporate the Columbus Fire, Life, and Marine Insurance Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—A bill to incorporate the town of Williamsburg, in Whitley county.

By same—A bill to incorporate the Western Coal and Manufacturing Company.

By same—A bill to establish a Police Judge in the town of Carrollton.

By same—A bill to authorize the Trustees of Winchester to reduce the width of Main Cross street, in said town.

By same—A bill to incorporate the Hancock Mining Company.

By the Committee on Ways and Means—A bill to legalize the appointment of Assessors of Tax, by the County Court of Daviess, at the February term, 1851.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill regulating allowances to Masters, Auditors and Commissioners in Chancery, reported the same without amendment.

The said bill was then amended, and as as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no master commissioner in chancery, or auditor, or commissioner, appointed by any circuit court for the settlement of accounts, partition of land, negroes, or personal estate, allotment of dower in land or slaves, or the assessment of the value of any property whatever, or the profits thereof, shall be allowed a compensation exceeding the rate of two dollars per day for the time such master, auditor, or commissioner may be necessarily engaged in the transaction of the business to be committed to them by said court; the time of such service to be ascertained by the oath of such master, auditor, or commissioner, and other competent evidence: *Provided*, that if a survey should be required in course of such business, then such allowance shall be made to the surveyor as the court shall deem proper; and that the court may allow a sum not exceeding one dollar and fifty cents to a commissioner for executing a deed pursuant to any decree or order of court, and that the court may increase such allowance, with the assent of all the parties interested in the matters referred to the master, auditor, or commissioner, by an order made, either prior or subsequent to the transaction of the said business.

Mr. Varnon moved to amend said bill by striking out the word "two," and inserting in lieu thereof the word "five."

Mr. Desha moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The main question was then put, shall the amendment proposed by Mr. Varnon be adopted? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Rowlett,, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Thomas Y. Payne,
William W. Alexander,	William H. Grainger,	William Preston,
Robert A. Athey,	P. B. Hawkins,	Edward C. Purdy,
R. T. Baker,	Lysander Hord,	Thomas W. Riley,
George I. Brown,	Samuel A. Kingman,	Jesse S. Taylor,
George R. Burgess,	Daniel Landes,	John F. Todd,
Wm. H. Calvert,	Peter Lashbrooke,	Thomas W. Varnon,
Robert H. Campbell,	Caleb W. Logan,	William T. Ward,
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of H—28.
Alvin Duvall,		

Those who voted in the negative, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
James B. Allen,	Squire Gatliff,	George H. Morrow,
John B. Arnold,	Samuel L. Geiger,	Joel Murphy,
William Beeler,	John G. Gooch,	Benjamin L. Owens,
William S. Black,	Alfred F. Graham,	Julian N. Phelps,
William Bradley,	William M. Gray,	Burwell C. Ritter,
Carlo B. Brittain,	William M. Green,	C. C. Rogers,
George P. Brown,	Thomas S. Grundy,	Joseph W. Rowlett,
John B. Bruner,	Samuel Hanson,	John L. Sallee,

George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
William Harris,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Preston H. Leslie,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
John Tompson,
Elisha F. Wells,
George W. Williams, of B.
James T. Woodward—54.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
John Tompson,
Elisha F. Wells,
George W. Williams, of B.
James T. Woodward—60.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Cyrenius W. Gilmore,
P. B. Hawkins,
Lysander Hord,
Samuel A. Kingman,
Caleb W. Logan,
John S. McFarland,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Jesse S. Taylor,
John F. Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H—22.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. W. W. Alexander moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That the provisions of this act shall not apply to the counties of Bourbon, Lincoln, Green, Scott, Meade, Hancock, Fayette, Warren, Franklin, Campbell, Marion, Woodford, Fleming, and Meade.

Mr. Desha moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed clause, proposed by Mr. Alexander, be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ward and Taylor, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Thomas Y. Payne,
James M. Alexander,	Cyrenius W. Gilmore,	Wm. Preston,
William W. Alexander,	P. B. Hawkins,	Edward C. Purdy,
Robert A. Athey,	Lysander Hord,	Thomas W. Riley,
R. T. Baker,	Samuel B. Jesup,	George W. Silvertooth,
John B. Bruner,	Caleb W. Logan,	Jesse S. Taylor,
Robert H. Campbell,	Hiram McElroy,	Thomas W. Varnon,
Edward F. Dulin,	John S. McFarland,	William T. Ward,
Alvin Duvall,	Morton P. Moore,	G. W. Williams, of H.
Edgar B. Gaither,	Wm. B. Murphy,	Edmund Wooldridge—30.

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	George H. Morrow,
John B. Arnold,	John G. Gooch,	Joel Murphy,
Wm. Beeler,	Alfred F. Graham,	Benjamin L. Owens,
William S. Black,	William M. Gray,	Julian N. Phelps,
Wm. Bradley,	Norvin Green,	Burwell C. Ritter,
Carlo B. Brittain,	Wm. M. Green,	C. C. Rogers,
George I. Brown,	Thomas S. Grundy,	Joseph W. Rowlett,
George P. Brown,	Samuel Hanson,	John L. Sallee,
George R. Burgess,	William Harris,	John Shawhan,
George T. Campbell,	Randall G. Hays,	Basil G. Smith,
Henry R. D. Coleman,	Stilwell Heady,	Albert G. Talbott,
John W. Cook,	George W. Kavanaugh,	Ambrose H. Talbott,
Winston J. Davie,	Samuel A. Kingman,	William T. Terrill,
Asbury Dawson,	Daniel Landes,	John F. Todd,
Lucius Desha,	Peter Lashbrooke,	John Tompson,
Joseph Dougherty,	Preston H. Leslie,	Elisha F. Wells,
Richard H. Field,	Andrew S. Linn,	Marcus L. Williams,
William H. Gardner,	Daniel Matthewson,	James T. Woodward—56.
Bernard H. Garrett,	James P. Metcalfe,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Varnon and Athey, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	Morton P. Moore,
James B. Allen,	Squire Gatliff,	George H. Morrow,
John B. Arnold,	Samuel L. Geiger,	Joel Murphy,
William Beeler,	John G. Gooch,	Benjamin L. Owens,
William S. Black,	Alfred F. Graham,	Julian N. Phelps,

William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edgar B. Gaither,
William H. Gardner,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Preston H. Leslie,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John F. Todd,
John Tompson,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—61.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William H. Calvert,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Cyrenius W. Gilmore,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel A. Kingman,
Peter Lashbrooke,
Caleb W. Logan,
John S. McFarland,
William B. Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Jesse S. Taylor,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—26.

Resolved, That the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred the petition of Aaron Dawson, asked to be discharged from the further consideration of the same.

Mr. McFarland moved that said committee be instructed to bring in a bill in accordance with the prayer of said petition.

Mr. Linn moved to amend said motion by directing that the committee also report a bill for the benefit of Edward McClure, of Grant county.

Mr. N. Green moved to amend the amendment of Mr. Linn by directing said committee to report, also, a bill for the benefit of John L. McCann, of Henry county.

And the question being taken on adopting said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the amendment of Mr. Linn, as amended, and it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill accordingly.

The House then took up the motion made by Mr. Kavanaugh, on the 8th instant, to reconsider the vote rejecting the bill providing for the printing and distribution of the acts of the General Assembly, and the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Linn and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	John S. McFarland,
James M. Alexander,	John G. Gooch,	James P. Metcalfe,
James B. Allen,	Alfred F. Graham,	Joel Murphy,
John B. Arnold,	William M. Gray,	Benjamin L. Owens,
R. T. Baker,	Norvin Green,	Julian N. Phelps,
George T. Campbell,	William M. Green,	Edward C. Purdy,
Henry R. D. Coleman,	Samuel Hanson,	Thomas W. Riley,
John W. Cook,	Lysander Hord,	Burwell C. Ritter,
Winston J. Davie,	George W. Kavanaugh,	C. C. Rogers,
Asbury Dawson,	Samuel A. Kingman,	Basil G. Smith,
Lucius Desha,	Daniel Landes,	John F. Todd,
Richard H. Field,	Preston H. Leslie,	William T. Ward,
Edgar B. Gaither,	Joseph H. Lewis,	Elisha F. Wells,
Wm. H. Gardner,	Daniel Matthewson,	G. W. Williams, of B—42.

Those who voted in the negative, were

Robert A. Athey,	Wm. H. Grainger,	William Preston,
William Beeler,	Thomas S. Grundy,	Joseph W. Rowlett,
William S. Black,	Wm. Harris,	John Shawhan,
William Bradley,	P. B. Hawkins,	George W. Silvertooth,
Carlo B. Brittain,	Randall G. Hays,	Albert G. Talbott,
George I. Brown,	Stilwell Heady,	Ambrose H. Talbott,
George P. Brown,	Samuel B. Jesup,	Jesse S. Taylor,
John B. Bruner,	Peter Lashbrooke,	William T. Terrill,
George R. Burgess,	Andrew S. Linn,	John Tompson,
William H. Calvert,	Caleb W. Logan,	Thomas W. Varnon,
Edward F. Dulin,	Hiram McElroy,	G. W. Williams, of H.
Alvin Duvall,	Morton P. Moore,	Marcus L. Williams,
Bernard H. Garrett,	George H. Morrow,	James T. Woodward.
Samuel L. Geiger,	William B. Murphy,	Edmund Wooldridge—44.
Cyrenius W. Gilmore,	Thomas Y. Payne,	

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

And after some discussion had thereon,

The House adjourned.

WEDNESDAY, FEBRUARY 19, 1851.

Mr. Burgess presented the petition of sundry citizens of Magistrates' District, No. 3, Lawrence county, praying a change in said district, which was received, the reading dispensed with, and referred to Messrs. Payne, Rowlett, Davie, and Williams of Hancock.

On motion of Mr. Arnold,

Ordered, That a message be sent to the Senate, to ask leave to withdraw the report of this House, announcing the passage of a bill, entitled, an act to amend an act, entitled, an act to incorporate the town of Lancaster.

Ordered, That Mr. Arnold carry said message.

On motion of Mr. W. B. Murphy, leave was given to bring in a bill for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Louisville and Mississippi, or Ohio River Railroad Company.

An act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Imprevement, reported the following bills, viz:

A bill to amend the charter of the Maysville, Orangeburg and Mount Carmel Turnpike Road Company.

A bill to incorporate a Turnpike Road from Germantown to Gault's Mill, on the North Fork, in Mason county.

A bill to incorporate a Turnpike Road from Germantown to Thompson's Ford, on the North Fork, in Bracken county.

A bill to amend an act, entitled, an act to incorporate the Sardis Turnpike Road Company, approved March 1, 1848.

A bill to authorize the County Court of Montgomery to issue the bonds of said county for Internal Improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to authorize the county of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and in the Maysville and Lexington Railroad Companies, reported the same with amendments, which were concurred in.

The third section of said bill reads as follows, viz:

§ 3. That power is hereby given to the President and Directors of the Covington and Lexington Railroad Company, and to the President and Directors of the Maysville and Lexington Railroad Company, to unite in the construction of a common Railroad from Paris to Lexington, the terms of union and construction, which shall be upon equitable and fair principles to both companies, to be agreed upon by the Directories of the two companies, and when thus agreed upon, to be expressed in writing, signed by the President and countersigned by the proper Secretary of each Board, accompanied with the seal of each company, and to be recorded in the Clerk's office of the Bourbon County Court.

Mr. Payne moved to amend said bill by striking out said section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Joel Murphy,
James B. Allen,	William H. Grainger,	Benjamin L. Owens,
Robert A. Athey,	Norvin Green,	Thomas Y. Payne,
William Bradley,	Stilwell Heady,	C. C. Rogers,
George T. Campbell,	George W. Kavanaugh,	Joseph W. Rowlett,
Alexander P. Churchill,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Peter Lashbrooke,	John F. Todd,
Asbury Dawson,	George W. Mansfield,	Thomas Todd,
Joseph Dougherty,	Hiram McElroy,	John Tompson,
Edward F. Dulin,	James P. Metcalfe,	Marcus L. Williams,
William H. Gardner,	Strother D. Mitchell,	Edmund Wooldridge.—34.
John G. Gooch,		

Those who voted in the negative, were

William W. Alexander,	Wm. M. Gray,	George H. Morrow,
John B. Arnold,	Wm. M. Green,	William B. Murphy,
William Beeler,	Thomas S. Grundy,	Edward C. Purdy,
William S. Black,	P. B. Hawkins,	Burwell C. Ritter,
George I. Brown,	Randall G. Hays,	John Rodman,
John B. Bruner,	Lysander Hord,	John L. Sallee,

George R. Burgess,
Henry R. D. Coleman,
John W. Cook,
Lucius Desha,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—46.

Ordered, That said bill, as amended, be engrossed and read a third time.

On motion of Mr. Williams, of Bourbon,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to encourage the construction of Plank, Turnpike, and Railroads in Daviess county.

That they had passed bills of the following titles, viz:

An act for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same.

An act to amend the charter of the Taylor County Turnpike Road Company.

Mr. Varnon, from the committee appointed to prepare and bring in the same, reported a bill to amend an act to revive and amend an act to incorporate the Stanford and Lancaster Turnpike Road Company, approved March 7, 1850, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. A. H. Talbott, from the committee on the Sinking Fund, to whom was referred a bill from the Senate, entitled, an act to provide for the payment of State bonds and coupons that are lost, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the order of the day.

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

The 626th section of said bill reads as follows, viz:

Trials by juries summoned by sheriffs or other officers, of the right of property taken by them under execution or distress warrant, are abolished.

Mr. Logan moved to amend said bill by striking out said section, and inserting in lieu thereof the following, viz:

The provisions of this code are not to be so construed as to repeal the existing laws relating to trials by jury, of the right of property taken by sheriffs or other officers, under execution or distress warrant.

And the question being taken thereon, it was decided in the negative.

Mr. Athey moved a reconsideration of the vote rejecting said amendment.

Mr. Payne moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Logan and Kingman, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Samuel L. Geiger,	Strother D. Mitchell,
John B. Arnold,	Alfred F. Graham,	Wm. B. Murphy,
Robert A. Athey,	Wm. M. Gray,	Thomas Y. Payne,
R. T. Baker,	William M. Green,	Julian N. Phelps,
William Beeler,	Samuel Hanson,	William Preston,
Carlo B. Brittain,	P. B. Hawkins,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	Thomas W. Riley,
George P. Brown,	Lysander Hord,	Burwell C. Ritter,
John B. Bruner,	Samuel B. Jesup,	Jesse S. Taylor,
Robert H. Campbell,	George W. Kavanaugh,	John F. Todd,
Edward F. Dulin,	Hiram Klette,	William T. Ward,
Alvin Duvall,	Preston H. Leslie,	G. W. Williams, of H.
Richard H. Field,	Joseph H. Lewis,	James T. Woodward,
Wm. H. Gardner,	Hiram McElroy,	Edmund Wooldridge—44.
Squire Gatliff,	James P. Metcalfe,	

Those who voted in the negative, were

James B. Allen,	Cyrenius W. Gilmore,	Joel Murphy,
Wm. S. Black,	Norvin Green,	C. C. Rogers,
Wm. Bradley,	Thomas S. Grundy,	Joseph W. Rowlett,
George T. Campbell,	Stilwell Heady,	John L. Sallee,
John W. Cook,	Samuel A. Kingman,	John Shawhan,
Winston J. Davie,	Daniel Landes,	George W. Silvertooth,
Asbury Dawson,	Peter Lashbrooke,	Basil G. Smith,
Lucius Desha,	Andrew S. Linn,	Ambrose H. Talbott,
Joseph Dougherty,	Caleb W. Logan,	Wm. T. Terrill,
Edgar B. Gaither,	Daniel Matthewson,	John Tompson,
Bernard H. Garrett,	George H. Morrow,	Elisha F. Wells—33.

Mr. Logan moved an amendment to said bill, and after some discussion had thereon,

The House adjourned.

THURSDAY, FEBRUARY 20, 1851.

1. Mr. Landes presented the petition of Mr. A. Smith, praying his residence may be included within the limits of the town of Cadiz, in Trigg county.

2. Mr. Field presented a petition from physicians of Shepherdsville, praying the establishment of a State Medical Board, to grant medical licenses.

3. Mr. Dulin presented the petition of sundry citizens of Fleming county, praying the establishment of an additional voting precinct in said county.

4. Also, a remonstrance of citizens of Fleming county, against establishing said voting precinct.

5. Mr. R. H. Campbell presented the petition of sundry citizens in Justices' and Constable's District, No. 5, in Woodford county, praying a change of the voting place therein.

6. Mr. Duvall presented the petition of citizens of Scott, praying a charter for a Railroad to intersect the Lexington and Louisville Railroad.

Which were received, the reading dispensed with, and referred—the 1st, and 6th to the committee on the Judiciary; the 2d to Messrs. N. Green, Gardner, Allen, Owsley, and Riley, and the 3d, 4th, and 5th to Messrs. Payne, Rowlett, Davie, and G. W. Williams, of Hancock.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act changing the spring term of the Calloway and Graves Circuit Courts.

That they had passed bills of the following titles, viz:

An act to provide for the organization of the Militia of this State.

An act for the benefit of Malachi A. Pickering, of Caldwell county.

An act to amend the charter of the Clear Creek Turnpike Road Company, of Shelby county.

An act authorizing Christian county to be divided into nine Districts, for the election of Justices of the Peace and Constables.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ritter—1. A bill to authorize the people of Logan county to tax themselves for the purpose of assisting in making the Louisville and Nashville Railroad.

On motion of Mr. Dawson—2. A bill to change the place of voting in the 3d Justices' District, in Simpson county.

Ordered, That the committee on Internal Improvement prepare and bring in the first, and Messrs. Payne, Rowlett, Davie, and G. W. Williams, of Hancock, the second.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled, an act to incorporate the Falls City Insurance Company, at Louisville, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

On motion of Mr. Linn, leave of absence for five days was granted to Mr. Dougherty.

The messenger sent to the Senate on yesterday, to ask leave to withdraw the report of this House, announcing the passage of a bill, entitled, an act to amend an act, entitled, an act to incorporate the town of Lancaster, returned with said bill.

Mr. Arnold moved a reconsideration of the votes passing said bill, dispensing with the third reading of said bill, and ordering said bill to be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to provide for the payment of State bonds and coupons that are lost.

On motion of Mr. A. G. Talbot,

Ordered, That said bill be re-committted to the committee on the Sinking Fund.

Bills from the Senate, of the following titles, viz:

1. An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville, and Shepherdsville Plank Road Company.

2. An act to amend an act, entitled, an act to incorporate the Linden Grove Cemetery Company, approved March 5, 1850.

3. An act defining the boundaries of the Magistrates' and Constables' Districts in Pulaski county.

4. An act to change the line of the first and second Districts for the election of Magistrates and Constables, in Caldwell County.

5. An act to change the lines of a Magistrate's and Constable's District in Boone county.

6. An act to amend the charter of the Taylor County Turnpike Road Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee on Internal Improvement; the 2d to the committee on the Judiciary; the 3d, 4th, and 5th, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock, and the 6th was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 6th bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, said bill was referred to the committee on Ways and Means, with instructions to report the same to the House on Tuesday next, at half past nine, A. M.

An engrossed bill, entitled, an act to authorize the county of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and Maysville and Lexington Railroad Companies, was read the third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court of Bourbon county, be and it is hereby authorized and required to subscribe fifty thousand dollars to the capital stock of the Covington and Lexington railroad company, fifty thousand dollars to the capital stock of the Maysville and Lexington railroad company, and one hundred thousand dollars of capital stock towards the construction of a common railroad, for the use of the said two companies, from Paris to Lexington; said several sums of capital stock to be appropriated and used in the construction of the portions of such roads, respectively, as will be between the Bourbon county line and the town of Paris; and the one hundred thousand dollars aforesaid, shall be held by the county of Bourbon as capital stock, in equal portions, in said railroad companies.

§ 2. That the aforesaid amounts of capital stock shall be paid to said railroad companies, respectively, by the making and delivery to their

boards of directory, the bonds of Bourbon county, of equal amount with the stock so directed to be subscribed, said bonds to run for a period not exceeding thirty years, and carrying interest at the rate of six per cent. per annum, payable semi-annually; and they shall be issued at such times, and for such amounts, as the president and directors of the company entitled to them may require; and in the same forms, and subject to the same regulations, as other bonds payable to the same company in discharge of its capital stock. But if either of said railroad companies shall not, on or before the 1st day of May next, in proper form, signify its assent, and agree to unite with the other company in making a common railroad from Paris to Lexington, then the company which shall have expressed such assent and agreement, shall be entitled to the whole of said one hundred thousand dollars, in bonds of the county, to be applied by such company in the construction of that part of the railroad of such company from Paris to Lexington, as shall be betwixt the Bourbon county line and the town of Paris; and the county of Bourbon shall, in right of said bonds, hold one hundred thousand dollars of capital stock in said company.

§ 3. That power is hereby given to the president, directors, and company of the Covington and Lexington railroad company, and to the president, directors, and company of the Maysville and Lexington railroad company, to unite in the construction of a common railroad from Paris to Lexington, the terms of union and construction, which shall be upon equitable and fair principles to both companies, to be agreed upon by the directors of the two companies, and when thus agreed upon, to be expressed in writing, signed by the president, and countersigned by the proper secretary of each board, accompanied with the seal of each company, and to be recorded in the clerk's office of the Bourbon county court.

§ 4. That the said county court of Bourbon county, shall punctually pay the interest upon all said bonds, as it may fall due, until the stock herein authorized to be subscribed, shall be entitled to draw dividends, and then the president and directors of the company in which said dividend may be declared, shall *ex officio* appropriate such dividends, or so much thereof as may be necessary to the payment of the interest due, and payable upon the appropriate bonds. But until such dividends accrue, and so far as they may at any time be insufficient to pay the interest upon said bonds or any portion of it, the said county court of Bourbon county shall, for all time before the accrual of such dividend, make certain and ample provision beforehand to meet such interest, and thereafter, so soon as it can reasonably be anticipated that such dividend will not be sufficient to pay the whole of the interest about to fall due on said bonds, or any of them, the said county court shall thereupon make certain and ample provision to supply such deficiency. And to enable the said county court to pay the interest on said bonds, as herein provided for, and to protect the credit of the county, it shall have full power and authority, and it shall be its duty to assess a tax on the *ad valorem* principle, upon all the rights, property, and estate within Bourbon county, which is subject to the payment of a tax to the commonwealth upon the same principle: *Provided*, that all persons who have subscribed, or who may hereafter subscribe capital stock in either of said companies, or who may be subject to the payment of a tax under any other law

than this, to be appropriated or subscribed as such capital stock, shall have a credit for the amount of tax which he or she may pay under this law, upon the amount of so much of his or her subscription or tax under any other law, as may then be due and payable.

§ 5. That the bonds herein authorized to be issued, shall be in the name of the county of Bourbon; shall be signed by the presiding judge or justice, or the judge of the said county court, and be countersigned by the clerk of said court, with the seal of his office affixed. But before any bonds shall be issued, an order for them with a proper description by amount and date, shall be entered upon the record of said court; and the said court shall have power and authority to hold its terms at all times, and to make any and every order necessary and proper in the execution of this law.

§ 6. That said bonds shall be transferable by the order of the directory of the company to which the same shall be made payable; such order to be endorsed upon the bonds transferred, signed by the president, and countersigned by the secretary.

§ 7. That all persons paying any tax under this act, shall be entitled to receive from the collector or other receiver thereof, a certificate or certificates of the amounts he or she have paid, addressed to the president and directors of the railroad company for whose benefit such tax or any portion of it may have been paid, which certificates shall be assignable; and any person holding such certificates to an amount equal to one share of stock in said railroad companies, or equal to any greater number of shares, shall, upon the tender of such tax certificate or certificates to the directory of the appropriate company, be entitled to have the proper certificate or certificates for an equivalent amount of stock. And to enable the collector or other receiver to give said tax certificates correctly, the county court aforesaid shall, at the time of assessing any amount of tax under this act, direct by proper order in what proportions it shall be paid upon the bonds respectively executed to the aforesaid railroad companies.

§ 8. That the honor and all the property and estate of the aforesaid county of Bourbon, shall be held sacredly bound for the payment of the interest upon all bonds which may be issued under this act, and for the redemption of the principal of said bonds, as they respectively reach their maturity. And the county court of Bourbon county, or any other court of said county, vested with analagous powers to those of said court, shall have full power and authority, and it shall be the duty of said county court, or other court, at the proper time or times, to make an assessment on the *ad valorem* principle, upon all rights, property, and estate within said county, for the payment of the interest or the redemption of the principal of said bonds. And all persons holding said bonds shall, at any time within three years after the passage of this act, have the right to convert their amount into an equal amount of the capital stock of the railroad company to which such bond may have been made payable; but for all such bonds as may be thus converted into capital stock, there shall be a reduction of an equivalent amount of the capital stock held by the county of Bourbon, in the company to which said bonds were made payable.

§ 9. That as a further means and assurance for the redemption of said bonds, the said county court of Bourbon county, shall make a safe investment of all dividends declared on the stock aforesaid, after the pay-

ment of all interest upon the bonds, by which the stock in which said dividends are declared, may have been paid, for the creation of a sinking fund, to be inviolably applied to the payment of said bonds.

§ 10. That the said county court shall have full power to appoint, if need be, an assessor or assessors of tax, under this act, and to fix their compensation; or may use the books of the assessors of tax for state revenue, and to appoint a county treasurer or treasurers, who shall execute a bond in a sufficient penalty, with good surety or sureties, payable to the commonwealth of Kentucky, and conditioned that he or they will faithfully and truly pay over, upon the proper order of the county court of Bourbon, to the railroad company or companies, or to the person or persons entitled to receive the same, all money which may come to his or their hands under the provisions of this act; and that he or they will do and perform all such act or acts as may be required of him or them by said court, in conformity therewith. And said court may fix his or their compensation.

§ 11. That any tax payer, under the provisions of this act, may pay his or her tax on or before the 15th day of September of each year in which the same is due, to the treasurer or treasurers of the county, and after that day shall have passed, it shall be the duty of the treasurer or treasurers to make out a correct list of all such tax payers, and their taxable property, as shall not have paid their tax, and deliver the same to the sheriff of the county for collection; the said treasurer or treasurers retaining a duplicate copy thereof, to be by him or them safely kept; and the sheriff shall collect and pay over the same to the treasurer or treasurers of the county, on or before the first day of January thereafter; and he shall, in addition to the amount of each tax list, be entitled to collect and receive from each tax payer, seven per cent. thereon, as a compensation for collecting the same; and all laws now in force for the collection of the state revenue and county levy shall be applicable, so far as they can be, to the sheriff in the exercise of such duties, and for a failure to perform them, as are prescribed in this section.

§ 12. That the clerk of the county court shall make out and deliver to the treasurer or treasurers of the county, in a reasonable time after his court shall order him so to do, a list of the tax payers, and of their taxable property under this act, for which he shall receive a proper compensation by order of court.

§ 13. That it shall be the duty of said county court of Bourbon, upon application, to make an order requiring the sheriff of the county to take the sense of the voters of the county upon the propriety of issuing the bonds of the county, and of subscribing the amount of said bonds as capital stock in said railroad companies, in accordance with the provisions of this act, by which order he shall be directed to open, and in pursuance thereof he shall open a poll in each voting precinct of the county, on a day to be fixed by the court, at which none but qualified voters shall be permitted to vote. Said court shall also appoint two competent judges and a clerk for each precinct: the judges to conduct and the clerk to record the votes taken, each of whom shall be sworn to discharge the duties of his office faithfully and impartially; and it shall be the duty of the sheriff to make, within three days after the day the vote is taken, due return of the poll books, certified by the judges, and attested by the clerk, in proper form, to the clerk of the county court, who shall

carefully preserve the same in his office. But before said vote is taken, due notice, by printed handbill, of the day on which it is to be taken shall be given, by posting up such handbill at three of the most public places in each of said precincts, three weeks before such day, and by publishing such handbill in the "Western Citizen," for three several weeks, successively, before that day. And if, upon the return of said vote, it shall appear to the said county court that a majority of all the votes cast, of the qualified voters of said county, has been cast in favor of issuing the bonds of the county as aforesaid, and of subscribing their amount as capital stock in said railroad companies, it shall be the duty of said court, and it is hereby required to carry the provisions of this act into effect, by a full and complete discharge of its various duties, as set forth in this act. And all laws now in force on the subject of elections, in relation to the duties of sheriffs and other officers conducting elections, and in relation to improper and illegal votes and voting, shall be and they are hereby made applicable, so far as they can be, to the vote to be taken under this section.

§ 14. That this act shall in no manner affect, alter, or change the chartered rights of the Maysville and Lexington railroad company, nor of any stockholder in said road; nor shall it give to the president and directors of said road any other power or discretion as to the location of the route of said road, than that which is given them by the act incorporating said company.

Mr. Cook moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	William Harris,	Burwell C. Ritter,
John B. Bruner,	P. B. Hawkins,	John L. Sallee,
John W. Cook,	Lysander Hord,	John Shawhan,
Asbury Dawson,	Samuel B. Jesup,	Jesse S. Taylor,
Lucius Desha,	Samuel A. Kingman,	William T. Terrill,
Joseph Dougherty,	Hiram Klette,	John F. Todd,
Alvin Duvall,	Preston H. Leslie,	Thomas W. Varnon,
Richard H. Field,	Joseph H. Lewis,	William T. Ward,
Bernard H. Garrett,	Andrew S. Linn,	George W. Williams, of B.
Cyrenius W. Gilmore,	John S. McFarland,	G. W. Williams, of H.
William M. Gray,	James P. Metcalfe,	James T. Woodward—38.
William M. Green,	William B. Murphy,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Benjamin L. Owens,
James B. Allen,	Alfred F. Graham,	Thomas Y. Payne,
Robert A. Athey,	William H. Grainger,	Julian N. Phelps,
William Bradley,	Norvin Green,	Wm. Preston,

George R. Burgess,	Samuel Hanson,	C. C. Rogers,
Robert H. Campbell,	Stilwell Heady,	Joseph W. Rowlett,
George T. Campbell,	Daniel Landes,	George W. Silvertooth,
Henry R. D. Coleman,	Peter Lashbrooke,	Basil G. Smith,
Edward F. Dulin,	Strother D. Mitchell,	Thomas Todd,
William H. Gardner,	George H. Morrow,	John Tompson,
Samuel L. Geiger,	Joel Murphy,	Marcus L. Williams—33.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. G. P. Brown—1. A bill to amend the law regulating tolls on the Wilderness Turnpike road.

By Mr. Rowlett—2. A bill in relation to Justices' and Constables' districts in Fleming county.

By Mr. A. H. Talbott—3. A bill to provide for the payment of jurors, who try cases before Magistrates.

By the committee on County Courts—4. A bill to change the place of voting in the 4th Magistrates' district in Cumberland county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to Messrs. Woodward, G. P. Brown, Harris, Brittain, and Gilmore; the 2d and 4th were severally ordered to be engrossed and read a third time, and the 3d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d and 4th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rodman, from the committee on Public Offices, to whom was referred a bill to abolish the office of Second Auditor, reported the same without amendment.

Ordered, That said bill be made the special order of the day for the 27th instant.

Mr. Hord, from the committee on Printing, reported a bill providing for the election of Public Printer, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The question was then put on engrossing and reading said bill a third time, and after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

A message was received from the Senate, announcing that they had appointed a committee on their part, to act in conjunction with a com-

mittee on the part of this House, to wait on the Governor, to ask leave to withdraw from him an enrolled bill, entitled, an act to amend the charter of the Lexington and Danville Railroad Company.

Whereupon, Messrs. A. G. Talbott and J. M. Alexander were appointed the committee on the part of this House.

At a quarter past 3 o'clock, P. M., Mr. W. C. Marshall moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Heady, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	William C. Marshall,
Robert A. Athey,	Samuel L. Geiger,	Morton P. Moore,
R. T. Baker,	Randall G. Hays,	William Preston,
William Bradley,	Hiram Klette,	Jesse S. Taylor,
William H. Calvert,	Peter Lashbrooke,	Thomas Todd,
Robert H. Campbell,	Preston H. Leslie,	G. W. Williams, of H—18.

Those who voted in the negative, were

Wm. W. Alexander,	Cyrenius W. Gilmore,	John S. McFarland,
James B. Allen,	John G. Gooch,	Strother D. Mitchell,
John B. Arnold,	Alfred F. Graham,	George H. Morrow,
Carlo B. Brittain,	Norvin Green,	Joel Murphy,
John B. Bruner,	William M. Green,	Julian N. Phelps,
George T. Campbell,	Thomas S. Grundy,	Edward C. Purdy,
Henry R. D. Coleman,	Samuel Hanson,	John Rodman,
Winston J. Davie,	Lysander Hord,	C. C. Rogers,
Asbury Dawson,	Samuel B. Jesup,	Joseph W. Rowlett,
Lucius Desha,	George W. Kavanaugh,	George W. Silvertooth,
Edward F. Dulin,	Samuel A. Kingman,	Ambrose H. Talbott,
Alvin Duvall,	Daniel Landes,	William T. Terrill,
Robert English,	Andrew S. Linn,	Thomas W. Varnon,
Richard H. Field,	Caleb W. Logan,	William T. Ward,
Edgar B. Gaither,	Hiram McElroy,	James T. Woodward—46.
William H. Gardner,		

Mr. McElroy moved the following resolution, viz:

Resolved, That when this House adjourns on Friday, the 21st instant, they will adjourn until Monday, the 24th.

Which was adopted.

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

Mr. Logan moved to amend said bill by striking out the sixth clause of the 568th section of said bill.

The said clause reads as follows, viz:

Parties to an issue, in behalf of themselves or those united with them in the issue, except where the oral statement of a party is offered in ev-

idence; in which case, such party shall be competent to testify respecting such statement. Persons for whose immediate benefit the action is prosecuted or defended, and an assignor of a thing in action, assigned for the purpose of making him a witness.

And to insert in lieu thereof the following, viz:

Persons interested in an issue, in behalf of themselves, and parties to an issue, in behalf of themselves or those united with them in the issue, *except where the oral admission of a person or party is offered in evidence; in which case such person or party shall be competent to testify respecting such admission.*

Mr. W. C. Marshall, at ten minutes of 4 o'clock, P. M., moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Robert H. Campbell,	Daniel Landes,
William W. Alexander,	Alexander P. Churchill,	William C. Marshall,
Robert A. Athey,	Bernard H. Garrett,	Jesse S. Taylor,
Wm. Bradley,	Thomas S. Grundy,	Thomas W. Varnon,
William H. Calvert,	George W. Kavanaugh,	G. W. Williams, of H—15.

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	Joel Murphy,
John B. Arnold,	William M. Gray,	Benjamin L. Owens,
R. T. Baker,	Norvin Green,	Thomas Y. Payne,
Wm. Beeler,	Wm. M. Green,	Julian N. Phelps,
Carlo B. Brittain,	Samuel Hanson,	Wm. Preston,
George I. Brown,	P. B. Hawkins,	Edward C. Purdy,
George P. Brown,	Randall G. Hays,	Thomas W. Riley,
John B. Bruner,	Lysander Hord,	John Rodman,
George R. Burgess,	Samuel B. Jesup,	C. C. Rogers,
George T. Campbell,	Samuel A. Kingman,	Joseph W. Rowlett,
Henry R. D. Coleman,	Hiram Klette,	John L. Sallee,
John W. Cook,	Peter Lashbrooke,	George W. Silvertooth,
Winston J. Davie,	Preston H. Leslie,	Basil G. Smith,
Asbury Dawson,	Joseph H. Lewis,	Ambrose H. Talbott,
Lucius Desha,	Andrew S. Linn,	William T. Terrill,
Edward F. Dulin,	Caleb W. Logan,	John F. Todd,
Alvin Duvall,	Daniel Matthewson,	Thomas Todd,
Robert English,	Hiram McElroy,	John Tompson,
Richard H. Field,	John S. McFarland,	William T. Ward,
Edgar B. Gaither,	James P. Metcalfe,	G. W. Williams, of B.
William H. Gardner,	Strother D. Mitchell,	Marcus L. Williams,
Samuel L. Geiger,	Morton P. Moore,	James T. Woodward.
Cyrenius W. Gilmore,	George H. Morrow,	Edmund Wooldridge—70.
John G. Gooch,		

Mr. Hanson moved to amend the amendment of Mr. Logan by striking out all that part printed in *italics*.

At ten minutes after 5 o'clock, P. M., Mr. Ward moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,
William H. Calvert,
Robert H. Campbell,
Bernard H. Garrett,
Hiram Klette,
John S. McFarland,
William T. Terrill,
William T. Ward—8.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
R. T. Baker,
William Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson.
Thomas W. Varnon,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—76.

Mr. Preston called for a division of the question.

The question was first taken on striking out the sixth clause of the 568th section, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Logan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	George H. Morrow,
John B. Arnold,	Thomas S. Grundy,	Joel Murphy,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
William Beeler,	William Harris,	Edward C. Purdy,
William Bradley,	Randall G. Hays,	Thomas W. Riley,
George P. Brown,	Stilwell Heady,	Burwell C. Ritter,
John B. Bruner,	Lysander Hord,	John Rodman,
Wm. H. Calvert,	George W. Kavanaugh,	Joseph W. Rowlett,
George T. Campbell,	Samuel A. Kingman,	Albert G. Talbott,
Asbury Dawson,	Peter Lashbrooke,	Ambrose H. Talbott,
Lucius Desha,	Preston H. Leslie,	Jesse S. Taylor,
Edward F. Dulin,	Joseph H. Lewis,	William T. Terrill,
Robert English,	Andrew S. Linn,	Thomas Todd,
Richard H. Field,	Caleb W. Logan,	John Tompson,
Edgar B. Gaither,	William C. Marshall,	Thomas W. Varnon,
Bernard H. Garrett,	Daniel Matthewson,	George W. Williams, of B.
Cyrenius W. Gilmore,	John S. McFarland,	G. W. Williams, of H.
John G. Gooch,	Strother D. Mitchell,	Marcus L. Williams—54.

Those who voted in the negative, were

James B. Allen,	William H. Gardner,	James P. Metcalfe,
Robert A. Athey,	Samuel L. Geiger,	Morton P. Moore,
Carlo B. Brittain,	Alfred F. Graham,	Benjamin L. Owens,
George I. Brown,	William H. Grainger,	William Preston,
George R. Burgess,	William M. Gray,	C. C. Rogers,
Robert H. Campbell,	William M. Green,	John L. Sallee,
Alexander P. Churchill,	P. B. Hawkins,	George W. Silvertooth,
Henry R. D. Coleman,	Samuel B. Jesup,	William T. Ward,
John W. Cook,	Hiram Klette,	James T. Woodward,
Winston J. Davie,	Daniel Landes,	Edmund Wooldridge—32.
Alvin Duvall,	Hiram McElroy,	

The question was then taken on the amendment of Mr. Hanson to the amendment of Mr. Logan, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Joel Murphy,
R. T. Baker,	Thomas S. Grundy,	Thomas Y. Payne,
William Beeler,	Samuel Hanson,	Edward C. Purdy,
William Bradley,	Wm. Harris.	Burwell C. Ritter,
George P. Brown,	Randall G. Hays,	John Rodman,
John B. Bruner,	Stilwell Heady,	C. C. Rogers,
George R. Burgess,	Lysander Hord,	Joseph W. Rowlett,
George T. Campbell,	George W. Kavanaugh,	Albert G. Talbott,
Henry R. D. Coleman,	Samuel A. Kingman,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	Wm. T. Terrill,
Lucius Desha,	Preston H. Leslie,	Thomas Todd,
Edward F. Dulin,	Andrew S. Linn,	John Tompson,
Robert English,	William C. Marshall,	Thomas W. Varnon,
Edgar B. Gaither,	John S. McFarland,	George W. Williams, of B.

Bernard H. Garrett,	James P. Metcalfe,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Strother D. Mitchell,	Marcus L. Williams—50.
John G. Gooch,	George H. Morrow,	

Those who voted in the negative, were

James B. Allen,	Samuel L. Geiger,	Hiram McElroy,
Robert A. Athey,	Alfred F. Graham,	Morton P. Moore,
Carlo B. Brittain,	William H. Grainger,	Benjamin L. Owens,
George I. Brown,	Wm. M. Gray,	Julian N. Phelps,
William H. Calvert,	Wm. M. Green,	William Preston,
Robert H. Campbell,	P. B. Hawkins,	Thomas W. Riley,
Alexander P. Churchill,	Samuel B. Jesup,	John L. Sallee,
John W. Cook,	Hiram Klette,	George W. Silvertooth,
Winston J. Davie,	Daniel Landes,	Ambrose H. Talbott,
Alvin Duvall,	Joseph H. Lewis,	William T. Ward,
Richard H. Field,	Caleb W. Logan,	James T. Woodward,
William H. Gardner,	Daniel Matthewson,	Edmund Wooldridge—36.

The amendment of Mr. Logan, as amended, was then adopted.

At quarter of six o'clock, P. M., Mr. Rogers moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	P. B. Hawkins,	Benjamin L. Owens,
William Bradley,	Randall G. Hays,	Julian N. Phelps,
John B. Bruner,	Stilwell Heady,	Thomas W. Riley,
Robert H. Campbell,	Lysander Hord,	John Rodman,
Alexander P. Churchill,	Samuel B. Jesup,	C. C. Rogers,
Edward F. Dulin,	George W. Kavanaugh,	Joseph W. Rowlett,
Bernard H. Garrett,	Samuel A. Kingman,	George W. Silvertooth,
Samuel L. Geiger,	Hiram Klette,	Basil G. Smith,
Cyrenius W. Gilmore,	Daniel Landes,	Albert G. Talbott,
John G. Gooch,	Peter Lashbrooke,	Ambrose H. Talbott,
Alfred F. Graham,	Joseph H. Lewis,	Jesse S. Taylor,
Wm. H. Grainger,	Wm. C. Marshall,	Thomas Todd,
William M. Gray,	Daniel Matthewson,	Thomas W. Varnon,
Norvin Green,	John S. McFarland,	G. W. Williams, of B.
Samuel Hanson,	Strother D. Mitchell,	G. W. Williams, of H.
Wm. Harris,	Joel Murphy,	James T. Woodward—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Asbury Dawson,	Morton P. Moore,
James B. Allen,	Lucius Desha,	George H. Morrow,
R. T. Baker,	Alvin Duvall,	Thomas Y. Payne,
William Beeler,	Robert English,	William Preston,
Carlo B. Brittain,	Richard H. Field,	Edward C. Purdy,
George I. Brown,	Edgar B. Gaither,	Burwell C. Ritter,
George P. Brown,	Wm. H. Gardner,	John L. Sallee,
George R. Burgess,	William M. Green,	William T. Terrill,

William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Thomas S. Grundy,
Andrew S. Linn,
Caleb W. Logan,
Hiram McElroy,
James P. Metcalfe,
John Tompson,
William T. Ward,
Marcus L. Williams,
Edmund Wooldridge—38.

FRIDAY, FEBRUARY 21, 1851.

1. Mr. Moore presented the petition of sundry citizens of Estill county, praying a change in a Magistrate's District in said county.

2. Mr. Desha presented the petition of sundry citizens of Cynthiana and its vicinity, praying an act of incorporation for a Hotel in said town.

3. Mr. Duvall presented the petition of citizens of Scott county, praying a change in the place of voting in a Magistrate's District in Scott county.

4. Mr. Linn presented the petition of the members of Grant Lodge, No. 85, praying an act of incorporation.

5. Mr. Garrett presented the petition of School Commissioners in Floyd county, in behalf of School District, No. 11, of said county.

Which were received, the reading dispensed with, and referred—the 1st and 3d to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 2d and 4th to the committee on the Judiciary, and the 5th to the committee on Education.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend the Common School laws.

An act to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts, on the *ad valorem* principle.

An act to incorporate the Medico Chirurgical Society of the Kentucky School of Medicine, in the city of Louisville.

An act incorporating the United Baptist Church in Taylor county.

An act for the benefit of Alfred F. Gowdy, Clerk of the Taylor County Court.

An act to charter the Louisville Homeopathic College of Medicine.

An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport.

An act authorizing the Trustees of Winchester to sell the public spring lot, in said town.

An act authorizing the sale of certain streets in the town of Glasgow.

An act to incorporate the Georgetown Chapter, No. 13, of Free and Accepted Masons, and to amend an act incorporating Mount Vernon Lodge, No. 14.

An act to incorporate Sligo Division, No. 18, Sons of Temperance, in Henry county.

An act to amend an act appointing Trustees for Moscow Seminary, in Hickman connty.

An act to incorporate the Louisville Paper Mill.

An act to incorporate the Cumberland Presbyterian Church, in the town of Paducah.

An act to incorporate Hobson Lodge, No. 63, I. O. O. F.

An act relative to holding elections in certain districts in Owen and Mason counties.

An act to authorize the Trustees of Winchester to sell the stray-pen, and prescribing the duties of the Clarke County Court in regard to strays.

An act to amend an act, entitled, an act to incorporate the Paris, Winchester, and Kentucky River Turnpike Road Company, &c., approved February 25, 1848.

An act for the benefit of John Clay, of Nicholas county.

An act to incorporate Montgomery Lodge, No. 18, of the Independent Order of Odd Fellows.

An act to create the offices of Police Judge and Marshal in the town of Moscow, in Hickman county.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to incorporate Russellville Division, No. 51, Sons of Temperance.

An act to incorporate the Hancock Manufacturing Company.

An act to authorize the County Court of Nelson to subscribe stock in the Louisville and Nashville Railroad Company.

An act in relation to Flint Island School District, No. 5, in Breckinridge county.

An act to prevent the destruction of fish in Barebone Creek, in Trimble county, and Floyd's Fork, in Jefferson county.

An act for the benefit of Riley McGuire.

With amendments to the four last named bills.

That they had passed bills of the following titles, viz:

An act to incorporate Pikeville Division, No. 79, Sons of Temperance.

An act to incorporate Blandville Lodge, No. 142, of Free and Accepted Masons.

An act to amend an act, entitled, an act to charter the Bowlingreen and Tennessee Railroad Company.

An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

An act for the benefit of the Sheriff of Boone county.

An act to incorporate Union College, in the town of Morganfield, in Union county.

An act to incorporate the Peacock Coal Mining Company, of Owsley county.

The House then resumed the consideration of the bill providing for the election of Public Printer.

The said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of Public Printer for this Commonwealth is hereby established, and that a Printer or Printers to fill the same, shall be elected by the joint vote of the two Houses of the General Assembly, at the next session thereof, and every two years thereafter.

§ 2. That the Printer or Printers, so elected, shall continue in office two years from and after the first Monday in August, succeeding his or their election : *Provided*, that the Printers elected the present session shall continue in office until the first Monday in August, 1852 ; and if, from any cause, a vacancy shall occur in the office of Public Printer, in the recess of the General Assembly, it shall be the duty of the Governor to appoint some proper person or persons to execute the Public Printing for the remainder of the time of the person or persons who had been elected by the General Assembly.

§ 3. That the compensation and duties of the Printer or Printers so elected or appointed, shall be the same, in every respect, as provided by "an act concerning the Public Printing," approved February 23, 1846.

Mr. N. Green moved to amend said bill by striking out the words, "first Monday in August, 1852," and insert in lieu thereof the following, viz : "second Monday in November, 1851, and until their successors are elected."

And the question being taken on adopting said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Green and Rowlett, were as follows, viz :

Those who voted in the affirmative, were

James M. Alexander,	Norvin Green,	Benjamin L. Owens,
William S. Black,	Thomas S. Grundy,	C. C. Rogers,
Carlo B. Brittain,	Daniel Landes,	Joseph W. Rowlett,
George T. Campbell,	Peter Lashbrooke,	George W. Silvertooth,
Winston J. Davie,	George W. Mansfield,	Basil G. Smith,
Asbury Dawson,	Daniel Matthewson,	Ambrose H. Talbott,
Wm. H. Gardner,	Hiram McElroy,	William T. Terrill—23.
Bernard H. Garrett,	George H. Morrow,	

70

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	James P. Metcalfe,
William W. Alexander,	Cyrenius W. Gilmore,	Strother D. Mitchell,
John B. Arnold,	John G. Gooch,	Joel Murphy,
R. T. Baker,	Alfred F. Graham,	Thomas Y. Payne,
Wm. Beeler,	William M. Gray,	Julian N. Phelps,
George I. Brown,	William M. Green,	Edward C. Purdy,
George P. Brown,	Samuel Hanson,	Thomas W. Riley,
John B. Bruner,	P. B. Hawkins,	Burwell C. Ritter,
George R. Burgess,	Randall G. Hays,	John Rodman,
Wm. H. Calvert,	Lysander Hord,	John L. Sallee,
Robert H. Campbell,	Samuel B. Jesup,	Albert G. Talbott,
Henry R. D. Coleman,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Samuel A. Kingman,	Thomas Todd,
Lucius Desha,	Hiram Klette,	John Tompson,
Edward F. Dulin,	Preston H. Leslie,	Thomas W. Varnon,
Alvin Duvall,	Joseph H. Lewis,	Elisha F. Wells,
Robert English,	Andrew S. Linn,	George W. Williams, of B.
Edgar B. Gaither,	Caleb W. Logan,	G. W. Williams, of H.
Squire Gatliff,	John S. McFarland,	James T. Woodward—57.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Æolian Building Company, of the town of Bowlinggreen.

An act to incorporate Green River Lodge, No. 54, I. O. O. F., of Hopkinsville.

An act to amend the road law in Pendleton county.

An act to incorporate Wildey Lodge, No. 40, of I. O. O. F.

An act changing the spring term of the Calloway and Graves Circuit Courts.

An act for the benefit of the Sheriffs of Hopkins and Logan counties.

An act for the benefit of the Sheriff of Bullitt county.

An act to incorporate the Union Hotel Company, in Louisville.

An act to incorporate the Kentucky Savings Bank, at Louisville.

An act to change Magistrates' and Constables' Districts, No. 4, in Green; No. 1, in Crittenden, and the Lewisburg and Maysville Districts, in Mason county.

An act to change the time of holding the Court of Claims, in Fayette county.

An act amending an act for the benefit of Mary Ridge and Maria Davenport, approved February 9, 1850.

An act to amend the charter of East Maysville, in Mason county.

An act for the benefit of James Clark, late Sheriff of Casey county.

An act to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and declare the same a county road.

An act to amend an act incorporating the Crab Orchard and Crew's Knob Turnpike Road Company, approved March 6, 1850.

An act to repeal, in part, the law establishing the road from London, by way of Williamsburg, to the Tennessee line.

An act to encourage the construction of Plank, Turnpike, and Railroads in Daviess couunty.

An act to establish District, No. 7, in the county of Laurel, and for other purposes.

An act for the benefit of the Portland Dry Dock and Insurance Company.

An act for the benefit of William Abner, of Owsley county.

An act to establish the office of Town Marshal, in the town of Independence, in the county of Kenton.

An act to incorporate Hickman Lodge, No. 131, Free and Accepted Masons.

An act to extend the corporate limits of the town of Newport.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. McElroy, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled, an act for the appointment of Circuit Judges, *pro tem.*, reported the same without amendment.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when any judge of a circuit court in this state shall fail to attend at the time and place fixed by law for holding the court of which he is judge, or, if in attendance, said judge cannot properly preside, it shall be the duty of the clerk of said court to cause an election to be held (at which the practicing attorneys at law in said court alone shall be permitted to vote) for a suitable person to act as judge; and if, in said election, there be a tie between the persons obtaining the highest number of votes, said clerk shall give the casting vote; and the judge, thus chosen, shall act as judge during the absence of the circuit court judge, or in such case or cases as the circuit court judge cannot properly preside, and whose powers, authority, duty, and responsibilities, shall be the same as those of the circuit court judge.

§ 2. Before any person, selected as aforesaid to act as judge, *pro tem.*, shall enter upon the duties of his office, he shall take the same oaths required by the constitution and laws of this state to be taken by circuit court judges.

§ 3. Said judge, *pro tem.*, shall receive, as a compensation for his services, a sum bearing the same proportion to the circuit judge's salary as the time he may serve shall bear to the length of the judicial time in said circuit; and it shall be the duty of the clerk to make a minute of the proceedings on his record book, and certify to the auditor of public accounts the time said judge, *pro tem.*, was engaged in the business of said court, (unless the said judge, *pro tem.*, shall direct the clerk to enter on his record that no compensation is asked for by said judge, *pro tem.*,) and the auditor shall issue a warrant upon the treasurer for the amount which said judge, *pro tem.*, may be entitled to; which amount shall be deducted out of the salary of the circuit judge by the auditor.

§ 4. If the judge, elected as herein prescribed, shall fail or refuse to act, or cannot properly preside, another election shall be held in the same manner, from time to time, until a suitable person is chosen, who will and can properly preside.

Mr. Rogers moved to amend said bill in the third section, by striking out the words "which amount shall be deducted out of the salary of the Circuit Judge by the Auditor."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alvin Duvall,	William Preston,
James M. Alexander,	Wm. H. Gardner,	Thomas W. Riley,
Robert A. Athey,	Alfred F. Graham,	C. C. Rogers,
R. T. Baker,	Norvin Green,	Basil G. Smith,
George I. Brown,	Caleb W. Logan,	Thomas Todd,
Robert H. Campbell,	Wm. C. Marshall,	G. W. Williams, of B.
Alexander P. Churchill,	Strother D. Mitchell,	James T. Woodward—21.

Those who voted in the negative, were

John B. Arnold,	John G. Gooch,	Morton P. Moore,
William Beeler,	Wm. M. Gray,	George H. Morrow,
Wm. S. Black,	William M. Green,	Joel Murphy,
Wm. Bradley,	Thomas S. Grundy,	Benjamin L. Owens,
Carlo B. Brittain,	Samuel Hanson,	Thomas Y. Payne,
George P. Brown,	William Harris,	Julian N. Phelps,
John B. Bruner,	P. B. Hawkins,	Edward C. Purdy,
George R. Burgess,	Randall G. Hays,	Burwell C. Ritter,
William H. Calvert,	Lysander Hord,	John Rodman,
George T. Campbell,	Samuel B. Jesup,	Joseph W. Rowlett,
Henry R. D. Coleman,	George W. Kavanaugh,	John L. Sallee,
John W. Cook,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Peter Lashbrooke,	Albert G. Talbott,
Asbury Dawson,	Preston H. Leslie,	Jesse S. Taylor,

Lucius Desha,	Joseph H. Lewis,	Wm. T. Terrill,
Edward F. Dulin,	Andrew S. Linn,	John Tompson,
Robert English,	George W. Mansfield,	Thomas W. Varnon,
Edgar B. Gaither,	Daniel Matthewson,	William T. Ward,
Bernard H. Garrett,	Hiram McElroy,	Elisha F. Wells,
Squire Gatliff,	John S. McFarland,	G. W. Williams, of H.
Cyrenius W. Gilmore,	James P. Metcalfe,	Marcus L. Williams—63.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mansfield, from the committee on Religion, to whom was referred the petition of certain citizens of Mason county, praying an act of incorporation of the *Huphussas*, or *Immortal Sevens*, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Education.

And then the House adjourned.

MONDAY, FEBRUARY 24, 1851.

1. Mr. Lashbrooke presented the petition of citizens of Mason county, praying a change in the boundary of the Lewisburg district for the election of Justices of the Peace and a Constable in said county.

2. Mr. R. H. Campbell presented the petition of citizens of Woodford county, praying the establishment of an additional district in said county, for the election of Justices of the Peace and a Constable.

3. Mr. N. Green presented the petition of E. P. Thomas, and others, residents of New Castle Common School District, in Henry county, praying said School District may be merged in the Henry Seminary, in said district.

4. Mr. Gatliff presented the petition of Andrew Craig and Nick White, of Whitley county, praying a change in the laws in relation to the manner of making surveys of vacant lands, and defining the duties of the surveyors engaged therein.

5. Mr. Allen presented the petition of sundry citizens of Henderson

county, praying a change in the boundaries of district, No. 1, in said county, for the election of Justices of the Peace and a Constable.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 5th, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 3d to the committee on Education, and the 4th to the committee on Propositions and Grievances.

Mr. Williams, of Bourbon, moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to bring in a bill to confer power on the Circuit Courts to grant incorporations upon petition, to benevolent, literary, and industrial institutions.

Which was adopted.

Mr. McElroy moved the following resolution, viz:

Resolved, That the committee on Revised Statutes be instructed to report back on to-morrow morning, at 10 o'clock, the bill authorizing changes of venue in civil and criminal cases.

Which was adopted.

On motion of Mr. A. G. Talbott,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing the passage of a bill from the Senate, entitled, an act to amend the charter of the Lexington and Danville Railroad Company.

After a short time, the messenger returned with said bill.

Mr. A. G. Talbott moved a reconsideration of the vote passing said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Internal Improvement.

Mr. Rowlett moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report to this House, on Monday next, at 10 o'clock, A. M., the bill referred to them, exempting $250 whorth of property from execution, and such amendments as they may deem proper.

Which was adopted.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Literary Institution of St. Magdalen, approved December 19, 1839.

An act to incorporate the town of Williamsburg, in Whitley county.

An act to incorporate the Carrollton Literary Society.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend an act to incorporate the Shelbyville and Taylorsville Turnpike Road Company.

An act for the benefit of the Sheriff of Lawrence county.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilmore—1. A bill to incorporate Carrollton Lodge, No. 134, of Free and Accepted Masons.

On motion of Mr. Tompson—2. A bill giving to the Sheriff of Lewis county further time to return his delinquent list for the year 1850.

On motion of Mr. Allen—3. A bill for the benefit of School District, No. 25, in Henderson county.

On motion of Mr. R. H. Campbell—4. A bill for the benefit of G. W. V. McConnell, late Deputy Sheriff of Woodford county.

On motion of Mr. Woodward—5. A bill to regulate the management and tolls on the Wilderness Turnpike road and branches in the counties of Clay, Knox, Laurel, Rockcastle, &c.

On motion of Mr. T. Todd—6. A bill to change the Magistrates' and Constables' Districts in Shelby county.

On motion of Mr. Morrow—7. A bill to provide for holding special terms of the County Courts.

On motion of Mr. Moore—8. A bill for the benefit of Thomas Martin, in Estill county.

On motion of Mr. R. H. Campbell—9. A bill to incorporate the Versailles Joint Stock Building Company.

On motion of Mr. Mitchell—10. A bill to amend the charter of the North Middletown, Mount Ida, and Mountsterling Turnpike Road Company.

On motion of Mr. Gooch—11. A bill for the benefit of mechanics, furnishers, &c., of Muhlenburg county.

On motion of Mr. Rodman—12. A bill for the benefit of Philip Felton, of Oldham county.

On motion of Mr. Desha—13. A bill declaring the Cynthiana News a public authorized newspaper.

On motion of Mr. Arnold—14. A bill to change the line between the 2d and 4th Magistrates' and Constables' district, in Garrard county.

On motion of Mr. Rowlett—15. A bill to charter Owen Division, Sons of Temperance, No. 220, in Owen county.

On motion of same—16. A bill for the benefit of the town of Owenton.

On motion of Mr. Leslie—17. A bill to change the boundary lines of certain Justices' Districts in Monroe county.

On motion of Mr. Williams, of Hancock—18. A bill further to regulate the powers and jurisdiction of the Police Judge of Hawesville.

On motion of Mr. Gatliff—19. A bill to give the citizens of Whitley county longer time to return plats and certificates of surveys.

On motion of Mr. Varnon—20. A bill to incorporate Springfield Lodge, No. 139, of Free and Accepted Masons.

On motion of Mr. Brittain—21. A bill for the benefit of Green Adams, of Knox county.

On motion of Mr. A. G. Talbott—22. A bill for the benefit of Martin Houser, of Boyle county.

Ordered, That Messrs. Gilmore, G. T. Campbell, and N. Green, prepare and bring in the 1st; the committee on Ways and Means the 2d, 15th, and 16th; the committee on Education the 3d and 22d; Messrs. R. H. Campbell, Athey, and Morrow, the 4th; Messrs. Woodward, G. P. Brown, Harris, and Brittain, the 5th; Messrs. Payne, Rowlett, Davie, and Williams, of Hancock, the 6th, 14th, and 17th; the committee on the Judiciary the 7th, 11th, 18th, 19th, and 20th; Messrs. Moore, Mitchell, and Woodward, the 8th; the committee on Internal Improvement the 9th and 10th; the committee on Claims the 12th and 21st; and Messrs. Desha, Shawhan, and Williams, of Bourbon, the 13th.

The House again resumed the consideration of the bill to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

Mr. Silvertooth moved to amend said bill by striking out the following sections, viz:

§ 519. The circuit judges shall appoint two, and not more than four, examiners in each county of their respective districts, who, before acting, shall be sworn in open court to discharge faithfully and impartially the duties of their office.

§ 520. An examiner's office shall be kept in or near the county seat; and if there is more than one, the others at such place as the court may direct.

§ 521. There shall not be more than three examiners' offices in a county, nor more than two examiners to each office.

§ 522. All depositions taken in this state to be used in the courts thereof, shall be taken before an examiner, except

1. Where an examiner cannot be obtained in the county in which the deposition is to be taken.

2. Where the witness is unable, from age, infirmity, or imprisonment, to attend at the examiner's office, and the examiner refuses to go to him.

3. Where all the examiners of the county are interested in the action.

§ 523. In the cases mentioned in the exceptions to the last section, the depositions may be taken before a judge of a court, a justice of the peace, a notary public, or a clerk of a court.

§ 524. Where a deposition is taken before any other officer than an examiner, the cause of it being so taken shall be made to appear by an accompanying affidavit.

§ 525. It shall not be the duty of an examiner to go out of his office to take depositions, but he may take them at any place in the county for which he is appointed.

§ 526. Depositions may be taken out of this state before a commissioner appointed by the governor thereof, a judge of a court, a justice of the peace, mayor of a city, notary public, or any other person empowered by a commission directed to him, by consent of the parties, or by order of the court.

Mr. Payne moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and McElroy, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	William M. Green,	Joel Murphy,
R. T. Baker,	William Harris,	Thomas Y. Payne,
Carlo B. Brittain,	P. B. Hawkins,	Wm. Preston,
George I. Brown,	Samuel B. Jesup,	Thomas W. Riley,
George P. Brown,	Samuel A. Kingman,	Burwell C. Ritter,
John B. Bruner,	Daniel Landes,	John L. Sallee,
Robert H. Campbell,	Andrew S. Linn,	John Shawhan,
Henry R. D. Coleman,	Daniel Matthewson,	Albert G. Talbott,
Winston J. Davie,	Hiram McElroy,	Jesse S. Taylor,
Asbury Dawson,	John S. McFarland,	John Tompson,
Robert English,	James P. Metcalfe,	William T. Ward,
William H. Gardner,	Morton P. Moore,	George W. Williams, of B.
William H. Grainger,	George H. Morrow,	James T. Woodward—40.
Norvin Green,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Benjamin L. Owens,
James M. Alexander,	Cyrenius W. Gilmore,	Julian N. Phelps,
James B. Allen,	John G. Gooch,	Edward C. Purdy,
Robert A. Athey,	Alfred F. Graham,	John Rodman,
Wm. Beeler,	William M. Gray,	C. C. Rogers,
William S. Black,	Thomas S. Grundy,	Joseph W. Rowlett,
William Bradley,	Randall G. Hays,	George W. Silvertooth,
George R. Burgess,	Lysander Hord,	Basil G. Smith,
George T. Campbell,	Peter Lashbrooke,	William T. Terrill,
John W. Cook,	Preston H. Leslie,	Thomas Todd,
Lucius Desha,	Joseph H. Lewis,	Thomas W. Varnon,
Edward F. Dulin,	George W. Mansfield,	G. W. Williams, of H.
Bernard H. Garrett,	Strother D. Mitchell,	Marcus L. Williams—39.

The main question was then put, shall the amendment of Mr. Silvertooth be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Preston and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Cyrenius W. Gilmore,	Julian N. Phelps,
James B. Allen,	John G. Gooch,	Edward C. Purdy,
William Beeler,	Alfred F. Graham,	Burwell C. Ritter,
William S. Black,	William M. Gray,	C. C. Rogers,
William Bradley,	Norvin Green,	Joseph W. Rowlett,
George T. Campbell,	Thomas S. Grundy,	John Shawhan,
Henry R. D. Coleman,	Randall G. Hays,	George W. Silvertooth,
John W. Cook,	Daniel Landes,	Basil G. Smith,
Lucius Desha,	Peter Lashbrooke,	Albert G. Talbott,
Edward F. Dulin,	George W. Mansfield,	William T. Terrill,
William H. Gardner,	Strother D. Mitchell,	John Tompson.
Bernard H. Garrett,	George H. Morrow,	Marcus L. Williams—38.
Squire Gatliff,	Benjamin L. Owens,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William M. Green,	Joel Murphy,
John B. Arnold,	William Harris,	Thomas Y. Payne,
Robert A. Athey,	P. B. Hawkins,	William Preston,
R. T. Baker,	Lysander Hord,	Thomas W. Riley,
Carlo B. Brittain,	Samuel B. Jesup,	John Rodman,
George I. Brown,	Samuel A. Kingman,	John L. Sallee,
George P. Brown,	Preston H. Leslie,	Jesse S. Taylor,
John B. Bruner,	Joseph H. Lewis,	Thomas Todd,
George R. Burgess,	Andrew S. Linn,	Thomas W. Varnon,
Robert H. Campbell,	Daniel Matthewson,	William T. Ward,
Winston J. Davie,	Hiram McElroy,	G. W. Williams, of B.
Asbury Dawson,	John S. McFarland,	G. W. Williams, of H.
Robert English,	James P. Metcalfe,	James T. Woodward—41.
Wm. H. Grainger,	Morton P. Moore,	

Mr. N. Green moved a reconsideration of the vote ordering the previous question.

Mr. Payne moved to lay said motion the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
John B. Arnold,	William H. Grainger,	Joel Murphy,
Robert A. Athey,	William M. Green,	Thomas Y. Payne,
R. T. Baker,	William Harris,	William Preston,
William Beeler,	P. B. Hawkins,	Thomas W. Riley,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John L. Sallee,
George P. Brown,	Samuel B. Jesup,	Jesse S. Taylor,
John B. Bruner,	Samuel A. Kingman,	John Tompson,

George R. Burgess, Robert H. Campbell, Winston J. Davie, Robert English, William H. Gardner, Squire Gatliff, Andrew S. Linn, Daniel Matthewson, Hiram McElroy, John S. McFarland, James P. Metcalfe, Thomas W. Varnon, William T. Ward, George W. Williams, of B. G. W. Williams, of H. James T. Woodward—43.

Those who voted in the negative, were

James M. Alexander, James B. Allen, William S. Black, William Bradley, George T. Campbell, Alexander P. Churchill, Henry R. D. Coleman, John W. Cook, Asbury Dawson, Lucius Desha, Edward F. Dulin, Bernard H. Garrett, John G. Gooch, Alfred F. Graham, William M. Gray, Norvin Green, Thomas S. Grundy, Daniel Landes, Peter Lashbrooke, Preston H. Leslie, Joseph H. Lewis, George W. Mansfield, Strother D. Mitchell, George H. Morrow, Benjamin L. Owens, Julian N. Phelps, Edward C. Purdy, John Rodman, C. C. Rogers, Joseph W. Rowlett, John Shawhan, George W. Silvertooth, Basil G. Smith, Albert G. Talbott, William T. Terrill, Thomas Todd, Marcus L. Williams—37.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) James B. Allen, John B. Arnold, Robert A. Athey, R. T. Baker, William Beeler, William S. Black, William Bradley, Carlo B. Brittain, George I. Brown, George P. Brown, John B. Bruner, George R. Burgess, Robert H. Campbell, George T. Campbell, Alexander P. Churchill, Henry R. D. Coleman, Winston J. Davie, Asbury Dawson, William H. Grainger, Wm. M. Gray, Norvin Green, Wm. M. Green, Thomas S. Grundy, Wm. Harris, P. B. Hawkins, Randall G. Hays, Lysander Hord, Samuel B. Jesup, Samuel A. Kingman, Daniel Landes, Peter Lashbrooke, Joseph H. Lewis, Andrew S. Linn, George W. Mansfield, Daniel Matthewson, Hiram McElroy, James P. Metcalfe, Thomas Y. Payne, Julian N. Phelps, William Preston, Edward C. Purdy, Thomas W. Riley, Burwell C. Ritter, John Rodman, C. C. Rogers, Joseph W. Rowlett, John L. Sallee, George W. Silvertooth, Basil G. Smith, Albert G. Talbott, Jesse S. Taylor, Wm. T. Terrill, Thomas Todd, John Tompson, Thomas W. Varnon, William T. Ward,

Edward F. Dulin,	Strother D. Mitchell,	George W. Williams, of B.
Robert English,	Morton P. Moore,	G. W. Williams, of H.
William H. Gardner,	George H. Morrow,	Marcus L. Williams,
Squire Gatliff,	Joel Murphy,	James T. Woodward—71.
Cyrenius W. Gilmore,	Benjamin L. Owens,	

Those who voted in the negative, were

James M. Alexander,	Alfred F. Graham,	John S. McFarland,
John W. Cook,	Preston H. Leslie,	John Shawhan—7.
Lucius Desha,		

Resolved, That the title thereof be as aforesaid.

Mr. Cook, from the committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled, an act to regulate the election laws, reported the same without amendment.

Mr. Riley moved to amend said bill in the third article and first section, by adding the following, viz:

"And where, in the opinion of the Court, one set of officers of the election will not be sufficient to receive and record all the votes of any one precinct, the Court shall appoint two sets of officers."

And the question being taken on adopting the same, it was decided in the negative.

Mr. Hord moved to amend the same section by striking out the words "a clerk," and inserting in lieu thereof the words, "one or more clerks."

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hord and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Daniel Matthewson,
James B. Allen,	Norvin Green,	Hiram McElroy,
William Bradley,	William M. Green,	John S. McFarland,
Carlo B. Brittain,	Thomas S. Grundy,	George H. Morrow,
George I. Brown,	P. B. Hawkins,	Joel Murphy,
William H. Calvert,	Randall G. Hays,	William Preston,
Asbury Dawson,	Lysander Hord,	Edward C. Purdy,
Edward F. Dulin,	Samuel B. Jesup,	Joseph W. Rowlett,
Wm. H. Gardner,	George W. Kavanaugh,	Thomas Todd,
Squire Gatliff,	Daniel Landes,	William T. Ward,
Cyrenius W. Gilmore,	Preston H. Leslie,	James T. Woodward—33.

Those who voted in the negative, were

John B. Arnold,	Bernard H. Garrett,	Burwell C. Ritter,
Robert A. Athey,	Alfred F. Graham,	John Rodman,
William Beeler,	William M. Gray,	C. C. Rogers,
William S. Black,	Samuel A. Kingman,	John L. Sallee,
John B. Bruner,	Peter Lashbrooke,	John Shawhan,

Robert H. Campbell,	Andrew S. Linn,	George W. Silvertooth,
George T. Campbell,	George W. Mansfield,	Basil G. Smith,
Henry R. D. Coleman,	James P. Metcalfe,	John Tompson,
John W. Cook,	Morton P. Moore,	Thomas W. Varnon,
Winston J. Davie,	Thomas Y. Payne,	Elisha F. Wells,
Lucius Desha,	Julian N. Phelps,	G. W. Williams, of H—35.
Robert English,	Thomas W. Riley,	

Mr. Williams, of Hancock, moved a reconsideration of the vote rejecting the amendment proposed by Mr. Riley, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and McFarland, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	Wm. Preston,
Robert A. Athey,	Norvin Green,	Edward C. Purdy,
Wm. Bradley,	Thomas S. Grundy,	Thomas W. Riley,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
John B. Bruner,	Randall G. Hays,	John Rodman,
William H. Calvert,	Lysander Hord,	C. C. Rogers,
Robert H. Campbell,	Samuel B. Jesup,	George W. Silvertooth,
Alexander P. Churchill,	George W. Kavanaugh,	Albert G. Talbott,
Winston J. Davie,	Samuel A. Kingman,	Thomas Todd,
Edward F. Dulin,	Daniel Landes,	Thomas W. Varnon,
Robert English,	Daniel Matthewson,	William T. Ward,
William H. Gardner,	Hiram McElroy,	Elisha F. Wells,
Bernard H. Garrett,	John S. McFarland,	Marcus L. Williams,
Samuel L. Geiger,	Joel Murphy,	James T. Woodward—44.
Cyrenius W. Gilmore,	Julian N. Phelps,	

Those who voted in the negative, were

James B. Allen,	John G. Gooch,	James P. Metcalfe,
John B. Arnold,	Alfred F. Graham,	George H. Morrow,
R. T. Baker,	William M. Gray,	Thomas Y. Payne,
Wm. Beeler,	Wm. M. Green,	Joseph W. Rowlett,
William S. Black,	Wm. Harris,	John L. Sallee,
Carlo B. Brittain,	Peter Lashbrooke,	John Shawhan,
George T. Campbell,	Preston H. Leslie,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	John Tompson,
John W. Cook,	George W. Mansfield,	G. W. Williams, of H—28.
Lucius Desha,		

The question was again taken on the adoption of the amendment proposed by Mr. Riley, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cook and Shawhan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Julian N. Phelps,
John B. Arnold,	Norvin Green,	William Preston,
Robert A. Athey,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	P. B. Hawkins,	Thomas W. Riley,

John B. Bruner,	Lysander Hord,	Burwell C. Ritter,
William H. Calvert,	Samuel B. Jesup,	John Rodman,
Robert H. Campbell,	George W. Kavanaugh,	C. C. Rogers,
Winston J. Davie,	Samuel A. Kingman,	George W. Silvertooth,
Edward F. Dulin,	Daniel Landes,	Albert G. Talbott,
Robert English,	Caleb W. Logan,	Thomas Todd,
William H. Gardner,	Daniel Matthewson,	Thomas W. Varnon,
Bernard H. Garrett,	Hiram McElroy,	William T. Ward,
Squire Gatliff,	John S. McFarland,	Elisha F. Wells,
Cyrenius W. Gilmore,	Joel Murphy,	James T. Woodward—42.

Those who voted in the negative, were

James B. Allen,	John G. Gooch,	Morton P. Moore,
R. T. Baker,	Alfred F. Graham,	George H. Morrow,
William Beeler,	William M. Gray,	Thomas Y. Payne,
William S. Black,	William Harris,	Joseph W. Rowlett,
William Bradley,	Randall G. Hays,	John L. Sallee,
Carlo B. Brittain,	Peter Lashbrooke,	John Shawhan,
George T. Campbell,	Preston H. Leslie,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	John Tompson,
John W. Cook,	George W. Mansfield,	G. W. Williams, of H,
Asbury Dawson,	James P. Metcalfe,	Marcus L. Williams—32.
Lucius Desha,	Strother D. Mitchell,	

And then the House adjourned.

TUESDAY, FEBRUARY 25, 1851.

Mr. Ritter moved the following preamble and resolutions, viz:

Whereas, this House has heard with deep regret of the death of Col. John F. Todd, a member of this House from the county of Logan, who departed this life at his lodgings, at the Weisiger House, this morning, at half past one o'clock:

Be it therefore resolved, That, as a token of respect for the memory of the deceased, the officers and members of this House will wear the usual badge of mourning for thirty days.

Be it further resolved, That the Clerk copy these resolutions, and forward them to the family of the deceased.

Resolved, That a committee of seven members of this House, be appointed to act in conjunction with a committee on the part of the Senate, to make arrangements for the funeral of the deceased.

Which were unanimously adopted.

Whereupon, Messrs. Preston, Ritter, Bradley, Hawkins, Leslie, Smith, and Davie, were appointed the committee in pursuance of said preamble and resolutions.

And then the House adjourned.

WEDNESDAY, FEBRUARY 26, 1851.

A message was received from the Senate, announcing that they had receded from their amendment to a bill from this House, entitled, an act to incorporate the Deposit Bank of Paris, Bourbon county.

That they had passed bills from this House, of the following titles, viz:

An act to legalize the appointment of Assessors af Tax by the County Court of Daviess, at their February term, 1851.

An act authorizing the election of officers of the Glasgow and Scottsville Turnpike Road.

An act to incorporate the Columbus Masonic Seminary, in Hickman county.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act further to provide for the collection of tolls on Kentucky, Green, and Barren rivers.

An act in relation to Magistrates' and Coostables' Districts in Caldwell county.

An act in relation to the Internal Improvement Fund of McCracken county.

An act to authorize the sale of the Parsonage of the Glasgow circuit of the Methodist Episcopal Church South.

An act to revise the Statutes.

1. Mr. Hampton presented the petition of Harrison Gill, and others, in relation to working and keeping in repair a certain road.

2. Mr. Burgess presented the petition of sundry citizens of Lawrence county, praying that Three Mile Creek, in said county, may be declared navigable.

3. Mr. Lashbrooke presented the petition of sundry citizens of Mason county, praying the passage of an act declaring that those who retail ardent spirits shall be responsible for the injuries resulting from the same.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Internal Improvement, and the 3d to the committee on Ways and Means.

Mr. Riley, from the committee on Revised Statutes, to whom was referred a bill to authorize the several Circuit Courts to change the venue in penal and criminal prosecutions, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act authorizing Christian county to be divided into nine districts for the election of Justices of the Peace and Constables, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended to read: "An act authorizing Christian county to be divided into not less than seven, nor more than eleven districts, for the election of Justices of the Peace and Constables."

1. Mr. Gooch presented the petition of sundry citizens of Muhlenburg county, praying that John S. Eaves, Sr., and others, may be permitted to erect a mill dam on Pond river.

Which was received, the reading dispensed with, and referred to the committee on Internal Improvement.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act authorizing Christian county to be divided into nine districts for the election of Justices of the Peace and Constables.

The House again resumed the consideration of the bill from the Senate, entitled, an act to regulate the election laws.

The 5th section of article 6th of said bill was then amended; and, as amended, reads as follows, viz:

§ 5. A vacancy in the office of sheriff shall be temporarily filled by the county court, until the next succeeding August election, and until the successor then chosen shall qualify.

1. A vacancy in the office of coroner, surveyor, county court clerk, county attorney, jailer, or assessor, shall be filled in like manner, until the next succeeding August election, and until the successor then chosen has qualified. A writ of election to fill the remaining vacancy shall be issued by the court; or, if the judge is not at the time in the county, by the clerk, under the order of two justices of the peace.

2. A vacancy in the office of justice of the peace, or constable, shall be filled in like manner, temporarily, until the next succeeding May or August election, whichever shall first transpire, and until the successor then chosen shall qualify; and a writ of election to fill the remaining vacancy shall be issued in like manner.

3. A vacancy in the office of commonwealth's attorney, or circuit court clerk, shall, in like manner, be filled for the same time by the circuit judge of the district, who shall issue the writ or proclamation for an election to fill the vacancy.

Mr. Dawson moved to strike out said section, and insert in lieu thereof, the following, viz:

1. That when a vacancy shall occur in the office of sheriff, constable, justice of the peace, coroner, surveyor, county court clerk, county court attorney, jailer, or assessor, when they have a longer period than one year to serve, for which they may have been elected to said office, it shall be the duty of the county court to issue writs of elections directed to the sheriff or coroner of said county, who shall proceed to hold an election by the qualified voters of his county or district, where such vacancies occur, after giving due notice, according to the rules and regulations for electing such officers. But, if the vacancy be for a less period than one year, then the said county court shall fill such vacancy for the unexpired term.

2. When a vacancy shall occur in the office of commonwealth's attorney, or circuit court clerk, when they have a longer period than one year to serve, for which they may have been elected to said office, it shall be the duty of the circuit judge of the district to issue writs of election, directed to the sheriff or sheriffs, or coroner of the different counties, who shall proceed to hold an election by the qualified voters of said county or counties where such vacancies occur, after giving due notice, according to the rules and regulations for electing such officers. But, if the vacancy be for a less period than one year, then the judge of said court shall fill such vacancy for the unexpired term.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sallee and Landes, were as follows, viz:

Those who voted in the affirmative, were

George T. Campbell, Asbury Dawson, Edward F. Dulin, Richard H. Field, Bernard H. Garrett, Alfred F. Graham, George M. Hampton, P. B. Hawkins, Stilwell Heady, Daniel Landes, Hiram McElroy, Julian N. Phelps, John Rodman, John L. Sallee, John Shawhan, Ambrose H. Talbott, William T. Terrill, William T. Ward, Marcus L. Williams—19.

Those who voted in the negative, were

Mr. Speaker, (Johnston,) James B. Allen, Robert A. Athey, R. T. Baker, Wm. Beeler, William S. Black, William Bradley, Carlo B. Brittain, George I. Brown, John B. Bruner, Wm. H. Calvert, Alexander P. Churchill, Henry R. D. Coleman, John W. Cook, Robert English, Edgar B. Gaither, Samuel L. Geiger, Cyrenius W. Gilmore, John G. Gooch, William M. Gray, William M. Green, Thomas S. Grundy, Samuel Hanson, Randall G. Hays, Lysander Hord, Samuel B. Jesup, George W. Kavanaugh, Preston H. Leslie, Joseph H. Lewis, Andrew S. Linn, Caleb W. Logan, George W. Mansfield, Daniel Matthewson, James P. Metcalfe, Strother D. Mitchell, Morton P. Moore, George H. Morrow, Joel Murphy, Benjamin L. Owens, William Preston, Edward C. Purdy, Thomas W. Riley, Burwell C. Ritter, Joseph W. Rowlett, Basil G. Smith, John Tompson, Thomas W. Varnon, Elisha F. Wells, G. W. Williams, of B—49.

Mr. Ward then moved to strike out said section, and insert in lieu thereof, the following, viz:

§ 5. A vacancy in the office of sheriff or constable, shall be filled by the county court for the unexpired term, by issuing a writ of election to fill said vacancy.

1. Vacancy in the office of justice of the peace, coroner, surveyor, county court clerk, county attorney, jailer, or assessor, shall be filled in like manner, until the next succeeding regular election of such officers, and until the successor then chosen has qualified. The writ of election to fill the vacancy shall be issued by the judge, or if the judge is not at the time in the county, by the clerk, under the order of two justices of the peace.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ward and Taylor, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen, William Beeler, George T. Campbell, Asbury Dawson, Edward F. Dulin, Daniel Landes, George W. Mansfield, Daniel Matthewson, Hiram McElroy, Strother D. Mitchell, Joseph W. Rowlett, John L. Sallee, John Shawhan, Albert G. Talbott, Ambrose H. Talbott,

Richard H. Field,	Benjamin L. Owens,	Jesse S. Taylor,
Edgar B. Gaither,	Julian N. Phelps,	Wm. T. Terrill,
Bernard H. Garrett,	William Preston,	William T. Ward,
Cyrenius W. Gilmore,	Burwell C. Ritter,	Marcus L. Williams—29.
Randall G. Hays,	John Rodman,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Andrew S. Linn,
Robert A. Athey,	John G. Gooch,	Caleb W. Logan,
R. T. Baker,	Alfred F. Graham,	James P. Metcalfe,
Wm. S. Black,	William M. Green,	Morton P. Moore,
Wm. Bradley,	Thomas S. Grundy,	George H. Morrow,
Carlo B. Brittain,	George M. Hampton,	Joel Murphy,
George I. Brown,	Samuel Hanson,	Edward C. Purdy,
John B. Bruner,	William Harris,	Thomas W. Riley,
George R. Burgess,	Stilwell Heady,	Basil G. Smith,
William H. Calvert,	Lysander Hord,	Thomas Todd,
Henry R. D. Coleman,	Samuel B. Jesup,	John Tompson,
John W. Cook,	George W. Kavanaugh,	Thomas W. Varnon,
Winston J. Davie,	Peter Lashbrooke,	Elisha F. Wells,
Lucius Desha,	Preston H. Leslie,	G. W. Williams, of B.
Robert English,	Joseph H. Lewis,	G. W. Williams, of H—46.
Wm. H. Gardner,		

The second section of the 12th article of said bill reads as follows, viz :

Any judge or clerk of an election, who after due notice of his *appointment*, shall fail to perform his duty as such in holding any election, unless from sickness, or absence from the county, or sufficient excuse, shall be fined from ten to one hundred dollars.

Mr. Kavanaugh moved to amend said section by inserting after the word " appointment," the words, "and acceptance thereof."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lewis and Kavanaugh, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Daniel Matthewson,
James B. Allen,	John G. Gooch,	Hiram McElroy,
Wm. Beeler,	William H. Grainger,	John S. McFarland,
William S. Black,	William M. Gray,	Strother D. Mitchell,
William Bradley,	Thomas S. Grundy,	Morton P. Moore,
Carlo B. Brittain,	George M. Hampton,	George H. Morrow,
George I. Brown,	William Harris,	Edward C. Purdy,
John B. Bruner,	P. B. Hawkins,	Burwell C. Ritter,
George R. Burgess,	Randall G. Hays,	John Rodman,
Henry R. D. Coleman,	Lysander Hord,	Joseph W. Rowlett,
Winston J. Davie,	Samuel B. Jesup,	John L. Sallee,
Asbury Dawson,	George W. Kavanaugh,	John Shawhan,
Lucius Desha,	Daniel Landes,	Albert G. Talbott,

Edward F. Dulin,	Peter Lashbrooke,	William T. Terrill,
Richard H. Field,	Preston H. Leslie,	John Tompson,
William H. Gardner,	Joseph H. Lewis,	Thomas W. Varnon,
Bernard H. Garrett,	Andrew S. Linn,	William T. Ward,
Squire Gatliff,	Caleb W. Logan,	George W. Williams, of B.
Samuel L. Geiger,	George W. Mansfield,	James T. Woodward—57.

Those who voted in the negative, were

George T. Campbell,	James P. Metcalfe,	Thomas W. Riley,
Alexander P. Churchill,	Joel Murphy,	C. C. Rogers,
Robert English,	Thomas Y. Payne,	G. W. Williams, of H.
William M. Green,	Julian N. Phelps,	Edmund Wooldridge—13.
Samuel Hanson,		

The 3d section of the 12th article of said bill reads as follows, viz:

Any officer who, without sufficient excuse, fails to discharge his duty after any election, as one of a board for comparing the poll books or election returns, or to decide a contested election, shall be fined from twenty to one thousand dollars. *Any officer who shall act corruptly, and with willful and manifest partiality in the discharge of such duty, shall be imprisoned from six to twelve months, and fined from five hundred to a thousand dollars; and shall also, in addition to either penalty, forfeit every office he then holds, and be disqualified from ever holding any office.*

Mr. Bradley moved to amend said section by striking out all that part printed in *italics*.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and A. G. Talbott, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Thomas S. Grundy,	George H. Morrow,
William Bradley,	P. B. Hawkins,	Julian N. Phelps,
William H. Calvert,	Randall G. Hays,	Joseph W. Rowlett,
Winston J. Davie,	George W. Kavanaugh,	John Shawhan,
Asbury Dawson,	Peter Lashbrooke,	Albert G. Talbott,
Lucius Desha,	Preston H. Leslie,	William T. Terrill,
Edgar B. Gaither,	Joseph H. Lewis,	John Tompson,
Bernard H. Garrett,	George W. Mansfield,	Thomas W. Varnon,
Squire Gatliff,	Hiram McElroy,	James T. Woodward—29.
William M. Gray,	John S. McFarland,	

Those who voted in the negative, were

John B. Arnold,	Alfred F. Graham,	Edward C. Purdy,
George I. Brown,	William M. Green,	Thomas W. Riley,
John B. Bruner,	George M. Hampton,	Burwell C. Ritter,
George R. Burgess,	Samuel Hanson,	John Rodman,
George T. Campbell,	Stilwell Heady,	C. C. Rogers,
Henry R. D. Coleman,	Lysander Hord,	John L. Sallee,
Edward F. Dulin,	Daniel Landes,	Basil G. Smith,
Robert English,	Andrew S. Linn,	Ambrose H. Talbott,

Richard H. Field,	Daniel Matthewson,	Jesse S. Taylor,
Wm. H. Gardner,	James P. Metcalfe,	William T. Ward,
Samuel L. Geiger,	Strother D. Mitchell,	G. W. Williams, of B.
Cyrenius W. Gilmore,	Joel Murphy,	G. W. Williams, of H—38.
John G. Gooch,	Thomas Y. Payne,	

The 15th and 16th sections of the 12th article of said bill read as follows, viz:

§ 15. Whoever shall obtain or solicit any subscription or contribution, or the promise thereof, for the purpose of aiding or promoting, by bribing and treating in any way whatever, the election of any person or persons, or receive any contribution to be used in that way, shall incur the penalties of the last section; except that it will be lawful to raise by subscription, or otherwise, money for defraying, in good faith, the expense of publishing handbills or printed papers.

§ 16. Whoever shall contribute money, or other thing of value, or give a promise thereof, contrary to the last section, shall be fined from fifty to two hundred dollars.

Mr. Rogers moved to amend said bill by striking out said sections.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	Hiram McElroy,
Wm. Beeler,	Thomas S. Grundy,	George H. Morrow
Wm. Bradley,	P. B. Hawkins,	Joel Murphy,
George I. Brown,	Randall G. Hays,	Julian N. Phelps,
George R. Burgess,	Lysander Hord,	C. C. Rogers,
William H. Calvert,	Samuel B. Jesup,	Joseph W. Rowlett,
Henry R. D. Coleman,	George W. Kavanaugh,	John L. Sallee,
Winston J. Davie,	Daniel Landes,	Albert G. Talbott,
Robert English,	Peter Lashbrooke,	Ambrose H. Talbott,
Edgar B. Gaither,	Preston H. Leslie,	John Tompson,
William H. Gardner,	Joseph H. Lewis,	Thomas W. Varnon,
John G. Gooch,	Andrew S. Linn,	G. W. Williams, of H.
Alfred F. Graham,	George W. Mansfield,	James T. Woodward—39.

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Strother D. Mitchell,
William S. Black,	Samuel L. Geiger,	Thomas Y. Payne,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Edward C. Purdy,
John B. Bruner,	Wm. H. Grainger,	Thomas W. Riley,
Robert H. Campbell,	Wm. M. Green,	Burwell C. Ritter,
George T. Campbell,	George M. Hampton,	John Rodman,
Asbury Dawson,	Samuel Hanson,	John Shawhan,
Lucius Desha,	Stilwell Heady,	Jesse S. Taylor,
Edward F. Dulin,	Daniel Matthewson,	William T. Terrill,
Richard H. Field,	John S. McFarland,	William T. Ward,
Bernard H. Garrett,	James P. Metcalfe,	G. W. Williams, of B—33.

And then the House adjourned.

THURSDAY, FEBRUARY 27, 1851.

1. Mr. Field presented the petition of citizens of Bullitt county, praying the establishment of an election precinct in said county.

2. Mr. Lewis presented the petition of sundry citizens of Barren county, in relation to a change in the State road in said county.

3. Mr. Hanson presented the petition of the President, Directors, and Company of the Winchester and Kentucky River Turnpike Company.

4. Also, the petition of sundry citizens of Winchester, praying that additional power be given to the Trustees of said town.

5. Mr. Ritter presented the petition of citizens of Logan county, praying that Whippoorwill may be declared a navigable stream.

6. Also, a remonstrance of citizens of said county against the same.

7. Mr. Mitchell presented the petition of William Burnett, executor of Caroline R. Currie, praying permission to sell some real estate.

8. Also, the petition of sundry citizens of Montgomery county, praying the removal of the seat of government from Frankfort to the city of Cockadoodle.

9. Mr. Hays presented the petition of sundry citizens of Hardin county, praying a change in the place of voting in a precinct in said county.

10. Mr. Preston presented the memorial of the bar of the county of Jefferson, in relation to the salary of the County Judge of said county.

11. Also, the petition of sundry citizens of the city of Louisville, in relation to a volunteer company in said city.

12. Mr. Gaither presented the petition of citizens of Cumberland county, in relation to notice to non-residents.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Privileges and Elections; the 2d to the committee on Internal Improvement; the 3d, 4th, 7th, 10th, and 12th, to the committee on the Judiciary; the 5th and 6th to the committee on Propositions and Grievances; the 8th to Messrs. Klette, Preston, McElroy, Lashbrooke, and Hawkins; the 9th to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; and the 11th to the committee on Military Affairs.

On motion of Mr. Rowlett,

Leave was given to bring in a bill for the benefit of the School Distict, at Dallasburg, in Owen county.

Ordered, That the committee on Education prepare and bring in the same.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act in relation to the city of Newport.

An act authorizing Christian county to be divided into not less than seven, nor more than eleven districts, for the election of Justices of the Peace and Constables.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to extend the limits of the town of Shelbyville.

An act to change a part of the State road from Canton to Hickman.

An act authorizing the sale of certain streets and an alley in the town of Russellville.

An act to incorporate the town of Mountsterling.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act concerning the Magistrates' and Constables' Districts in Christian county.

An act to change the place of voting in an election precinct in Jefferson county.

The House again resumed the consideration of the bill from the Senate, entitled, an act to regulate the election laws.

The 12th article of said bill reads as follows, viz:

§ 1. Any sheriff who fails to cause an election to be held, or in making, comparing, and certifying election returns, for senator or representative, as required by law, shall be fined from two hundred to a thousand dollars. If he fails to perform any other duty concerning an election, or the returns thereof, for which there is no penalty specifically prescribed, he shall be fined from twenty to two hundred dollars.

§ 2. Any judge or clerk of an election, who, after due notice of his appointment, shall fail to perform his duty as such in holding any election —unless from sickness, or absence from the county, or sufficient excuse —shall be fined from ten to one hundred dollars.

§ 3. Any officer, who, without sufficient excuse, fails to discharge his duty after any election as one of a board for comparing the poll-books or election returns, or to decide a contested election, shall be fined from twenty to one thousand dollars.

Any officer, who shall act corruptly, and with wilful and manifest partiality in the discharge of such duty, shall be imprisoned from six to twelve months, and fined from five hundred to a thousand dollars; and shall, also, in addition to either penalty, forfeit any office he then holds, and be disqualified from ever holding any office.

§ 4. Any officer or other person, who shall alter, obliterate, or wilfully secrete, suppress, or destroy the certified poll book or certificate of an

election, or unlawfully alter the poll book before it is certified, shall be deemed guilty of forgery, be confined in the penitentiary from one to five years, forfeit any office he then holds, and be disqualified from ever holding any office.

§ 5. Any officer, who shall make or aid in making, or authorize the making up of any false and fraudulent poll book or certificate of an election or election return, shall incur the penalties of the last section.

§ 6. Any officer whose duty it is to give or aid in giving a certificate of election or of the returns of an election, or to forward the same, who shall wilfully and fraudulently refuse or fail to give the same, or to send the same to the secretary of state, as required by law, shall be imprisoned from one to twelve months, fined from five hundred to a thousand dollars, forfeit any office he may then hold, and be disqualified from ever holding any office.

§ 7. Any person, who shall counsel, advise, or procure the commission, or aid in the commission of either of the offenses named in the last two sections, shall incur thereby the penalty therefor as therein named.

§ 8. Any judge, sheriff, or clerk, who shall receive and record or cause to be recorded, a vote at an election at any other time or place than that lawfully appointed, and any judge or sheriff who shall knowingly and unlawfully receive the vote of any other than a qualified voter, or so refuse to receive the vote of a qualified voter, shall, for every such offense, be imprisoned from one to six months, fined from fifty to five hundred dollars, forfeit any office he then holds, and be disqualified from ever holding any office.

§ 9. Any officer of an election, who shall be guilty of any wilful neglect of his duty as such, or of any corrupt conduct or manifest partiality in the execution of the same—not herein otherwise provided for—shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both so fined and imprisoned.

§ 10. Any resident of this state, who shall vote at any election, before he has resided two years in the state, or, in the county and precinct where the election is held, the time required by law, or before he has attained full age, or before he has been duly naturalized, shall be fined from fifty to one hundred dollars, or imprisoned from ten to ninety days, or both.

§ 11. Any person, not a citizen of this state, who shall fraudulently attempt to vote at an election in this state; any person, who shall vote or fraudulently attempt to vote more than once at an election; any person, who shall vote or attempt to vote by means of a false personation and use of the naturalization papers of another person, dead or living; and any person who shall lend or hire his naturalization papers to be used for such purpose, shall be imprisoned not less than one year, and fined not more than five hundred dollars.

§ 12. Any one, who shall knowingly and fraudulently procure or advise another to commit either of the offenses named in the last two sections, shall be fined not more than five hundred dollars, or imprisoned from six to twelve months, or both so fined and imprisoned.

§ 13. Any person guilty of receiving a bribe for his vote at an election, shall be fined from fifty to one thousand dollars, or imprisoned from one to twelve months, or both so fined and imprisoned.

1. "Bribe," or "bribery," means any reward, benefit, or advantage, present or future, to the party influenced or intended to be influenced, or to another at his instance, or the direct promise of such reward, benefit, or advantage.

2. Money, or other thing of value, or other benefit given, paid, lent, or promised for treating or procuring the treating of voters before or during an election, with a view of influencing votes to be given, shall be deemed a bribe.

3. Whoever shall receive money, or other thing of value, to be used for the purpose of influencing a vote or votes in any way, shall be deemed to have been bribed.

§ 14. Whoever shall bribe another, or offer to bribe another, as in the last section named, shall, on conviction, be fined from twenty to five hundred dollars, or imprisoned from ten to ninety days, or both so fined and imprisoned.

§ 15. Whoever shall obtain or solicit any subscription or contribution, or the promise thereof, for the purpose of aiding or promoting, in any way whatever, the election of any person or persons, or receive any contribution to be used in that way, shall incur the penalties of the last section; except that it shall be lawful to raise by subscription, or otherwise, money for defraying, in good faith, the expense of publishing handbills or printed papers.

§ 16. Whoever shall contribute money, or other thing of value, or give a promise thereof, contrary to the last section, shall be fined from fifty to two hundred dollars.

§ 17. Any person, who, by himself or in aid of others, shall forcibly break up or prevent, or attempt to break up or prevent, the lawful holding of an election, or so obstruct or attempt to obstruct the same, or so prevent or attempt to prevent any qualified voter from giving his vote, shall be fined from fifty to five hundred dollars, and imprisoned not more than one year.

§ 18. Any person, who shall make any willfully false statement under an oath duly administered at an election, shall be deemed guilty of perjury, and incur the penalty for that crime.

Any person who shall willfully and corruptly procure another to make such false statement, shall be deemed guilty of subornation of perjury, and incur the like penalty.

§ 19. Any person condemned to confinement in the penitentiary for larceny, robbery, forgery, counterfeiting, or perjury, or any such like crime, shall forfeit his right of suffrage for ten years after his conviction.

§ 20. It shall be the special duty of each sheriff, judge, and clerk of an election, to give information of all infractions of this act to the grand jury, or commonwealth's attorney; and where there is reason to fear that an offender will make his escape out of the county before indictment, to procure his immediate apprehension.

The officer before whom such offender is brought, shall require from him surety in an adequate penalty for his appearance at the next circuit court, to answer the charge; and, on his failure to give it, to commit him to prison till such surety is given.

§ 21. This act shall be literally construed so as to prevent any evasion

of its prohibitions and penalties by shift or device, and so as the better to effectuate the intention of the people of Kentucky, as declared in their constitution, that their elections should be kept pure and uncorrupted from "all undue influence thereon by power, bribery, tumult, or other improper practices."

It shall, also, be given specially in charge to the grand jury of every county first convened after any general election.

§ 22. A grand jury may cause any person to be summoned before them as a witness, who shall be compelled to testify as to any knowledge he may possess, touching any violation of law in relation to elections in the county during the preceding eighteen months; and if he refuses to testify on oath, he shall be committed to prison until he submits, and be fined from ten to thirty dollars by the court, and a like sum for each daily repetition of the contempt.

§ 23. In any prosecution under this act, it shall be no exemption for a witness that his testimony may criminate himself; but no such testimony given by a witness, shall be used against him in any prosecution, except for perjury; and if used on behalf of the commonwealth, he shall stand discharged from all penalty for any violation of this act, so necessarily disclosed in his testimony, as tending to convict the accused.

§ 24. No prosecution shall be had under this act, unless the same is commenced within twelve months from the time of the commission of the offense.

§ 25. The commonwealth's attorney shall receive one-third of any fine assessed and collected, whenever he prosecutes the offender.

Mr. Varnon moved to amend said bill by striking out said article, and inserting in lieu thereof, the following, viz:

§ 1. Any citizen of this state who shall vote in any precinct without having been a resident thereof for sixty days next preceding the election, or who shall vote twice at the same election, shall be fined, at the discretion of a jury, not less than fifty nor more than one hundred dollars; and, on failing to pay the fine and costs, may be imprisoned in the county jail till the fine and costs are paid: *Provided*, that he shall not be so imprisoned for a longer time than three months.

§ 2. Any non-resident of this commonwealth who shall vote in this state, shall be subject to confinement in the penitentiary for not less than one nor more than three years.

§ 3. Whoever shall vote in this state before having resided in the same two years, or in the county, town, or city, where the vote is given, one year, and also in the precinct where said vote is given sixty days next preceding the election, or before being of the age of twenty-one years, shall be fined the sum of fifty dollars; and, on failing to pay the fine and costs, shall be imprisoned in the county jail thirty days.

§ 4. Whoever, not being a citizen of the United States, shall personate or offer to personate another, or who shall use or offer to use the naturalization papers of another, with the intention of giving an illegal vote, shall be imprisoned not more than six months, and fined not more than five hundred dollars; and whoever shall loan or hire out naturalization papers, with the intention of aiding another in giving an illegal vote, shall be subject to the same penalty.

§ 5. Whoever shall knowingly cause, aid, or assist another to give an illegal vote, shall be subject to the same pains and penalties that the person giving such vote is subject to by law; and whoever shall offer, promise, or give a bribe, in money or property, to any person for his vote, and whoever shall receive such bribe, shall be confined in the penitentiary not less than one nor more than three years.

§ 6. Whoever shall willfully and corruptly swear or affirm falsely under the provisions of this act, shall be subject to all the pains and penalties denounced by the laws of this state against willful and corrrupt perjury.

§ 7. Any judge of an election who shall knowingly receive any illegal vote, or refuse to receive a legal vote, or any election officer who shall willfully neglect any duty prescribed by law, or who shall be guilty of any corrupt conduct in the execution of such office, shall be fined not less than fifty nor more than five hundred dollars; and, on failing to pay the fine and costs, shall be imprisoned in the county jail one day for each two dollars of said fine and costs remaining unpaid.

§ 8. Whoever shall willfully refuse to testify as to the qualifications of any one offering to vote, when so required, as provided in this act, shall be fined fifty dollars.

§ 9. Any justice of the peace or judge of an election may issue a warrant for the apprehension of any person charged with a violation of the provisions of this act; upon which, the same proceedings shall be had, before two justices of the peace, and the defendant discharged or held to bail, as is provided by law in other criminal and penal charges: *Provided*, that no warrant shall issue except upon the oath of the party making the charge.

§ 10. Every judge of an election, when he believes that any person is about to violate any of the provisions of this act, shall inform such person of the penalty for such violation; and it shall be the duty of all election officers to give information to the next grand jury of the county of any such violations; and every circuit judge shall give this act in special charge to each grand jury of his circuit.

§ 11. The circuit courts of the state shall have jurisdiction of all cases arising under this act, by presentment and indictment of a grand jury, as in other penal cases: *Provided*, that justices of the peace shall have concurrent jurisdiction with the circuit courts of all cases under this act, where the fine cannot exceed fifty dollars: *And, provided further*, that such cases shall be tried by a jury, and that the defendant shall have the right to appeal to the circuit court, by executing bond with good surety, conditioned according to law.

Mr. Logan called for a division of the question.

The question was first taken on striking out, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Caleb W. Logan,
James M. Alexander,	John G. Gooch,	George W. Mansfield,
William W. Alexander,	Alfred F. Graham,	William C. Marshall,
James B. Allen,	Wm. M. Gray,	Daniel Matthewson,
William Beeler,	Norvin Green,	Strother D. Mitchell,
William S. Black,	Thomas S. Grundy,	Julian N. Phelps,
William Bradley,	George M. Hampton,	William Preston,
Carlo B. Brittain,	P. B. Hawkins,	Edward C. Purdy,
George R. Burgess,	Randall G. Hays,	John Rodman,
Alexander P. Churchill,	Stilwell Heady,	Joseph W. Rowlett,
Henry R. D. Coleman,	Lysander Hord,	John Shawhan,
Winston J. Davie,	Samuel B. Jesup,	Basil G. Smith,
Lucius Desha,	George W. Kavanaugh,	Thomas Todd,
Robert English,	Daniel Landes,	John Tompson,
Richard H. Field,	Peter Lashbrooke,	Thomas W. Varnon,
Edgar B. Gaither,	Preston H. Leslie,	George W. Williams, of B.
William H. Gardner,	Joseph H. Lewis,	Marcus L. Williams,
Bernard H. Garrett,	Andrew S. Linn,	James T. Woodward—54.

Those who voted in the negative, were

John B. Arnold,	Cyrenius W. Gilmore,	Thomas Y. Payne,
Robert A. Athey,	Wm. M. Green,	Thomas W. Riley,
R. T. Baker,	Samuel Hanson,	Burwell C. Ritter,
George I. Brown,	Wm. Harris.	C. C. Rogers,
John B. Bruner,	Hiram Klette,	John L. Sallee,
Wm. H. Calvert,	Hiram McElroy,	Ambrose H. Talbott,
Robert H. Campbell,	John S. McFarland,	Jesse S. Taylor,
George T. Campbell,	James P. Metcalfe,	Wm. T. Terrill,
Asbury Dawson,	George H. Morrow,	William T. Ward,
Edward F. Dulin,	Joel Murphy,	G. W. Williams, of H.
Samuel L. Geiger,	Benjamin L. Owens,	Edmund Wooldridge—33.

Mr. Varnon's amendment was then amended.

And the question being taken on adopting the same, as amended, it was decided in the affirmative.

Mr. Hanson moved to amend said article by adding thereto the following section, viz:

The commonwealth's attorney shall receive one-third of any fine assessed and collected, whenever he prosecutes the offender to conviction.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Linn, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Benjamin L. Owens,
William W. Alexander,	William H. Grainger,	Thomas Y. Payne,
James B. Allen,	Norvin Green,	Julian N. Phelps,
Robert A. Athey,	William M. Green,	William Preston,
R. T. Baker,	Thomas S. Grundy,	Edward C. Purdy,

George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Bernard H. Garnett,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
Andrew S. Linn,
William C. Marshall,
Morton P. Moore,
Joel Murphy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
John Shawhan,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
Marcus L. Williams,
Edmund Wooldridge—55.

Those who voted in the negative, were

William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
John W. Cook,
Winston J. Davie,
William H. Gardner,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
George M. Hampton,
William Harris,
Samuel B. Jesup,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
George H. Morrow,
Joseph W. Rowlett,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
G. W. Williams, of H—29.

Mr. Linn moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill, as amended, be read a third time? and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Mr. Payne moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

Resolved, That the title thereof be amended to read: "An act to regulate elections."

The House then took up the motion made by Mr. J. F. Todd, on the 11th instant, to reconsider the vote laying on the table the resolution moved by Mr. W. M. Green, on the 8th instant, to amend the rules.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

A bill from the Senate, entitled, an act to revise the Statutes, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Monday next.

Mr. Rogers moved a suspension of the rules, in order to take up the amendment proposed by this House, to a bill from this House, entitled, an act to provide for the payment of the interest on the School Fund; the Senate having disagreed to said amendment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Baker, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
Robert A. Athey,
William S. Black,
George P. Brown,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson.
Thomas W. Varnon,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—58.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
R. T. Baker,
William Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Richard H. Field,
William H. Gardner,
Samuel L. Geiger,
George W. Kavanaugh,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
John S. McFarland,
William Preston,
Thomas W. Riley,
John L. Sallee,
Jesse S. Taylor—26.

Mr. W. M. Green moved that this House recede from their amendment to said bill.

Mr. Desha moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
William S. Black,
Carlo B. Brittain,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Norvin Green,
William M. Green,
Samuel Hanson,
Randall G. Hays,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Marcus L. Williams—46.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
William Beeler,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
William H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
Strother D. Mitchell,
William Preston,
Thomas W. Riley,
Joseph W. Rowlett,
Jesse S. Taylor,
Thomas Todd,
George W. Williams, of B.
G. W. Williams, of H,
James T. Woodward,
Edmund Wooldridge—41.

The main question was then put, will this House recede from their said amendment? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dulin and Payne, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
Robert A. Athey,
William S. Black,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Marcus L. Williams—55.

Those who voted in the negative, were

R. T. Baker,
Wm. Beeler,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Richard H. Field,
Wm. H. Gardner,
Wm. H. Grainger,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
Julian N. Phelps,
William Preston,
Thomas W. Riley,
Jesse S. Taylor,
Thomas Todd,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—34.

The House then took up for consideration the bill from the Senate, entitled, an act to organize County Courts in the several counties.

The 7th section of said bill reads as follows, viz:

The presiding judge of the county court shall make all settlements with executors, administrators, and guardians, within his county, and in making such settlements, he shall be governed by the laws now in force regulating the duties of the standing commissioners appointed by the existing county courts, so far as the same are applicable, and for which he shall receive one dollar and fifty cents for each settlement, unless the same shall occupy more than one day, and if it should, then one dollar and fifty cents per day, to be paid as the standing commissioners are now paid for similar services: *Provided*, that when the judge may be interested personally, the clerk of the county court shall act as commissioner.

Mr. Hord moved to amend said section by adding the following, viz:

And in all such settlements, any party interested in the same may file exceptions thereto, and if overruled by the presiding judge, such party shall have a right of appeal to the circuit court of the county; upon taking which appeal, the presiding judge shall file in the clerk's office of the circuit court, all papers relating to the same; which court shall decide upon the exceptions, and his opinion thereon shall be certified by his clerk to the county court, and the papers sent back to said court; and the settlement shall be concluded in accordance with said opinion.

Mr. Hanson moved to amend said bill by striking out said section, as amended.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Linn, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	William Harris,	Thomas W. Riley,
R. T. Baker,	Randall G. Hays,	C. C. Rogers,
William Beeler,	George W. Kavanaugh,	Joseph W. Rowlett,
Wm. Bradley,	Samuel A. Kingman,	John L. Sallee,
George P. Brown,	Peter Lashbrooke,	Albert G. Talbott,
George R. Burgess,	Caleb W. Logan,	Ambrose H. Talbott,
George T. Campbell,	Daniel Matthewson,	Jesse S. Taylor,
Edward F. Dulin,	Joel Murphy,	Wm. T. Terrill,
Robert English,	Benjamin L. Owens,	John Tompson,
Squire Gatliff,	Thomas Y. Payne,	Thomas W. Varnon,
Samuel L. Geiger,	Julian N. Phelps,	G. W. Williams, of B.
John G. Gooch,	William Preston,	G. W. Williams, of H—38.
Samuel Hanson,	Edward C. Purdy,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	George W. Mansfield,
John B. Arnold,	Alfred F. Graham,	Hiram McElroy,
Robert A. Athey,	William M. Gray,	John S. McFarland,
Carlo B. Brittain,	Norvin Green,	James P. Metcalfe,
George I. Brown,	William M. Green,	Strother D. Mitchell,
John B. Bruner,	Thomas S. Grundy,	George H. Morrow,
William H. Calvert,	George M. Hampton,	Burwell C. Ritter,
Robert H. Campbell,	P. B. Hawkins,	John Rodman,
Henry R. D. Coleman,	Stilwell Heady,	John Shawhan,
Winston J. Davie,	Lysander Hord,	Basil G. Smith,
Asbury Dawson,	Samuel B. Jesup,	Thomas Todd,
Lucius Desha,	Daniel Landes,	William T. Ward,
Richard H. Field,	Preston H. Leslie,	Marcus L. Williams,
Edgar B. Gaither,	Joseph H. Lewis,	James T. Woodward,
Wm. H. Gardner,	Andrew S. Linn,	Edmund Wooldridge—46.
Bernard H. Garrett,		

And then the House adjourned.

FRIDAY, FEBRUARY 28, 1851.

1. Mr. Landes presented the petition of Malinda Harris, praying permission to sell a part of the real estate of her deceased husband, Reuben Harris.

2. Mr. Smith presented the remonstrance of sundry citizens of Barren county, against a change in a State road.

3. Mr. Rogers presented the petition of John B. Stout, for the Trustees of the College of Dental Surgery, praying an amendment to their charter.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on the Judiciary, and the 2d to the committee on Internal Improvement.

On motion of Mr. Purdy,

Ordered, That leave of absence, indefinitely, be granted to Mr. Wells.

Mr. Kavanaugh, from the committee on Privileges and Elections, to whom was referred the petition of sundry citizens of Henry county, and the petition of sundry citizens of Oldham county, asked to be discharged from the further consideration of the same, which was granted.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by this House, to a bill from the Senate, entitled, an act to change the boundary lines of the town of Harrodsburg.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the University of Paducah.

An act to amend the charter of the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

An act to incorporate a Turnpike Road from Germantown to Gault's Mill, on the North Fork, in Mason county.

An act to amend an act, to revive and amend an act to incorporate the Stanford and Lancaster Turnpike Road Company, approved March 7, 1850.

An act in relation to Justices' and Constables' Districts in Fleming county.

An act to change the place of voting in the 4th Magistrates' district, in Cumberland county.

An act to authorize the County Court of Shelby to subscribe stock in roads.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act allowing an additional Magistrates' and Constables' district in Scott county.

An act for the benefit of the Danville and Hustonville Turnpike Road Company.

An act requiring the Superintendent of Public Instruction to keep his office at the seat of government.

Mr. Kavanaugh, from the committee on Privileges and Elections, to whom was referred a bill to divide each county into election precincts, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Desha, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Joseph A. Vance, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Bradley,
Carlo B. Brittain,
George I. Brown,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—61.

Those who voted in the negative, were

William S. Black,	John G. Gooch,	Andrew S. Linn,
John B. Bruner,	William M. Gray,	Thomas Y. Payne,
Bernard H. Garrett,	William M. Green,	Julian N. Phelps,
Squire Gatliff,	Samuel A. Kingman,	John L. Sallee,
Samuel L. Geiger,	Preston H. Leslie,	John Tompson—15.

Resolved, That the title thereof be as aforesaid.

Mr. Lashbrooke, from the committee on the Penitentiary, made the following report, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly, and that said report be made the special order of the day for Tuesday next.

Mr. Lashbrooke, from the same committee, reported a bill better to define the duties of the Keeper of the Penitentiary.

Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Tuesday next.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to incorporate the Linden Grove Cemetery Company, approved March 5, 1850, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Davie presented the remonstrance of sundry citizens of Christian county, against the erection of a mill dam across Pond river.

Mr. Gooch presented the petition of sundry citizens, praying that John S. Eaves, Sr., and others, may be permitted to erect a mill dam across Pond river.

Which were received, the reading dispensed with, and referred to the committee on Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill for the benefit of George Stivers and William Woodcock.

By the committee on Claims—2. A bill for the benefit of Francis McCauley.

By the committee on the Judiciary—3. A bill concerning the Police Judge of the town of Hawesville.

By same—4. A bill for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

By same—5. A bill to incorporate the Owensboro' Building Company.

By same—6. A bill to amend the act establishing the Police Court of Flemingsburg, approved January 21, 1851.

By same—7. A bill to establish the Police Court of Mount Carmel.

By same—8. A bill to incorporate the town of New Castle.

By same—9. A bill to incorporate the Board of Trustees of the town of Woodsonville.

By Mr. Graham—10. A bill to establish the Police Court of Poplar Plains.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to suppress the practice of adulterating spirituous liquors, &c., reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill.

And after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

The House again resumed the consideration of the bill from the Senate, entitled, an act to organize County Courts in the several counties.

The said bill was amended, and, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of the associate judges of the county court, created by the twenty-ninth section of the fourth article of the constitution, be and the same is hereby abolished.

§ 2. That a county court, composed of the presiding judge elected by the people—except when the justices of the peace are associated with him, as hereinafter provided—shall be held in the several counties of this commonwealth, on the days and at the places of holding existing county courts, as now directed by law; which court shall have and possess the same powers and jurisdiction conferred by existing laws upon the county courts in this commonwealth, and shall, in all things, be governed by the laws now in force regulating the jurisdiction and proceedings in the ex-

isting county courts, except so far as the same may be changed or altered by this act.

§ 3. The county court, at the October term thereof, in each year, shall audit and settle the claims against the county, make provision for the poor, and all necessary appropriations for the improvement of roads, building and repairing of bridges and public buildings; and, at the same time, said court shall lay and direct the levy to be collected, and shall do all things in relation to the financial affairs of the county which the existing county court may now lawfully do; and in those counties where a circuit court is holden in the month of October, the judge and justices of such counties, respectively, shall attend their November term for the purposes aforesaid; and it shall be the duty of the several justices of the peace in the county to attend said court and sit with the presiding judge, and compose a part of said court, for the purposes aforesaid; and the said presiding judge and a majority of the justices of the peace of the county—or a majority of the justices, without the presiding judge—shall be sufficient to constitute a court for the purposes aforesaid; and the justices who shall attend and constitute said court, shall be allowed one dollar per day, each, to be paid out of the county levy; and, if the presiding judge shall deem it proper to make an appropriation, to be paid out of the county levy, at any other than the October term aforesaid, he shall have power to order a summons to be issued against the justices of the peace in his county, requiring them to attend at such term of said court as he may designate; and, upon a majority of the justices attending, they, with said judge, or in his absence, a majority of the justices, shall have power to make such appropriations as are proper and necessary; and the court, at such term, may adjourn from day to day, until a majority of the justices appear, and the business for which they have been convened is completed: *Provided*, that the presiding judge of the county court shall, at any other than the court at which the claims are audited, as aforesaid, have the power to make appropriations of sums not exceeding fifty dollars, without requiring the attendance of the justices of the peace aforesaid; but the appropriations made by said presiding judge shall not exceed one hundred dollars at any one term.

§ 4. Should a majority of the justices fail to attend said court, it shall be the duty of the presiding judge and the justices present, or either of the presiding judge or justices who may be present, to order a summons against the justices failing to attend, and to compel their attendance, by attachment or otherwise; and said court may adjourn from day to day, until a majority of the justices in the county shall be in attendance, and the necessary business of the court shall have been transacted.

§ 5. The records of the existing county courts shall be held and regarded as the records of the courts hereby organized in the same counties, respectively; and all the records of the clerk's office, and all the official papers and records pertaining thereto, in the several counties, shall be kept, held, and regarded as the official papers and records of the clerks' office of the county courts hereby organized in the same counties; and said records and papers, or copies thereof, properly certified by the clerks of the several courts hereby organized—to whom the custody of such papers and records is given—shall be record evidence in all courts in this commonwealth, to the full extent that such papers and records now are,

when properly certified by the proper officer; and, until otherwise directed by law, such papers and records, as well as the records and papers of the court hereby organized, and the official papers and records of the clerk of the court hereby organized, shall be kept in the same offices and in the same manner that they are now kept by the clerks of the existing county courts.

§ 6. The clerk of the court hereby organized, and the sheriffs of the several counties, shall discharge the same official duties in their respective counties which the same officers now do under existing laws; and they shall be officers of the county court, bear the same relation thereto, perform the same duties therein, as like officers do in and to the existing county courts: *Provided*, that the county court clerk shall not practice as an attorney at law in the county in which he is clerk; nor shall he suffer or permit any practicing lawyer to have or keep his office in any room where the records and papers of said clerk's office shall be kept, or in any room communicating therewith.

§ 7. The presiding judge of the county court shall make all settlements with executors, administrators, and guardians, within his county; and, in making such settlements, he shall be governed by the laws now in force, regulating the duties of the standing commissioners appointed by the existing county courts—so far as the same are applicable—and for which he shall receive one dollar and fifty cents for each settlement, unless the same shall occupy more than one day, and if it should, then one dollar and fifty cents per day, to be paid as the standing commissioners are now paid for similar services: *Provided*, that when the judge may be interested personally, the clerk of the county court shall act as commissioner.

§ 8. The presiding judge of the county court shall hold quarterly terms in each year, at the seat of justice of his county, for the trial of all causes brought before him, at which he shall preside; he shall enter in a well-bound book, to be kept for that purpose, all orders, judgments, and decrees, by him given or rendered, all executions by him issued, with the time of issuing the same, the amount of such execution, the return day thereof, and the day on which the same shall have been returned; and all executions issued by the said presiding judge shall be directed and delivered to the sheriff or constable of his county, as now required by law; and the officer receiving the same shall be governed, in all things, by existing laws in relation to similar executions issued by circuit court clerks or justices of the peace, and shall be liable to the same pains and penalties: *Provided*, that in all cases where the sheriff is an interested party, such execution may be directed to the coroner, or any constable of his county, by name.

§ 9. The presiding judge of the county court shall have concurrent jurisdiction, both at law and in equity, with justices of the peace, in all cases where jurisdiction is conferred by existing laws on justices of the peace, and with the circuit courts in all sums over fifty and under one hundred dollars; and in all actions of trespass and trespass on the case, and writs of replevin, where the damages complained of do not exceed one hundred dollars—except where the title or boundaries to land may be in controversy—under the same rules and regulations as are now prescribed by law, conferring jurisdiction on justices of the peace and

circuit courts in this commonwealth; and said presiding judge shall be allowed the same fees as are allowed by law to justices of the peace and clerks of circuit courts, for similar services: *Provided*, that no one who is sued for an amount within a justice's jurisdiction, shall be compelled to be tried out of the justice's district in which he resides, unless by his own consent given in writing, on the back of the warrant.

§ 10. That the presiding judge of the county court shall be a conservator of the peace within his county, and shall have all the power and jurisdiction in cases of riots, routs, and unlawful assemblies, breaches of the peace, and of all misdemeanors, now conferred by law on justices of the peace, subject to the same rules and regulations; and he shall have power, by his warrant, directed to the sheriff or any constable of his county, to cause persons charged with a violation of the penal laws of this commonwealth, to be apprehended and brought before him, and take the recognizance of such person, so charged, to appear and answer the same, or to commit such person to prison, there to remain until discharged by due course of law; and in all such proceedings he shall be governed by existing laws regulating the powers and proceedings of justices in similar cases.

§ 11. The presiding judge of the county court shall have concurrent jurisdiction with the circuit courts and justices of the peace in granting writs of injunction, *ne exeat* and *habens corpus*, and also of hearing and determining the same: *Provided*, the amount in controversy does not exceed one hundred dollars. He shall, also, have concurrent jurisdiction with circuit courts and justices of the peace in granting writs in relation to idiots and lunatics; and in all such cases he shall be governed by the laws now in force regulating the proceedings of circuit courts and justices of the peace in similar cases.

§ 12. Every person who shall be guilty of false swearing before the presiding judge, shall be deemed guilty of felony, and punished accordingly.

§ 13. That either party to a suit before a justice of the peace shall have the same right of appeal to the county court as is now given by law, and under the same rules and regulations; and parties to suits commenced before the presiding judge, shall have the right of appeal from his decision to the circuit court of the county, under the same rules and regulations as are now prescribed by law in cases of appeals from justices of the peace to the circuit courts, in cases over five pounds.

§ 14. That the presiding judge of the county court, when applied to and his fees paid, shall give copies of all orders, judgments, or decrees made and rendered by him, and of all papers filed in his office, and complete records of cases tried and determined by him, under his hand and seal; and all such copies of records, &c., with the certificate of the clerk of the county court, and the seal of his office annexed, that said judge is the presiding judge of the county court of his county, shall be received as evidence in any court in this commonwealth.

§ 15. That in all suits brought before said presiding judge—where the amount in controversy shall be over fifty dollars—a tax of fifty cents shall be paid by the plaintiff, and taxed in the bill of costs against the defendant, in all cases where judgment is rendered against him; and the presiding judge shall, in the month of November in each year, make out

and certify to the auditor a list of such taxes received by him, and shall pay the same to the treasurer, under the same rules and regulations as are now prescribed by law, directing clerks of circuit courts to certify and pay taxes on law process.

§ 16. Whenever an administrator or executor shall, by a petition in writing, filed and sworn to by him in the county court, state and represent that the personal estate is insufficient to pay the debts or legacies, or both, and shall exhibit an inventory of the assets, as near as may be, with his petition as part thereof, and shall set forth the debts due from said estate, it shall be the duty of the county court judge to examine into the same, and if there be real estate or legacies of personal property or slaves in the will, or which descended to heirs, he shall cause summonses to be issued against the widow and heirs, or devisees, returnable to next court, if in the state, or if non-residents he shall enter on the record warning orders against them, returnable to next court, and in the latter case, appoint the county attorney, or some other attorney, to represent them; and when the parties are before the court, by service or warning order and traverse, he shall hear the case; and, if on hearing he shall be of opinion that real estate, legacies, or slaves, or any or all, will be necessary to pay debts, he will enter an order on the records requiring the same to be sold, and prescribe the terms of sale, and appoint commissioner, executor, administrator, or sheriff, to make the same, and when purchase money is paid, cause a deed to be made, conveying all the interests of the heirs or devisees: *Provided*, that no power is given hereby to sell the widow's dower, or such property as the laws reserve from execution; but, if the widow will file her consent in writing to a sale of her dower, and expressing her willingness to receive its value in money, then the decree of sale shall include the dower, and she shall receive its value in money; and, from time to time, sales may be made of enough to pay debts, when the parties are once before the court, if other debts appear not represented by the petition, enough to pay such debts and the cost of administration; and the court shall allow the attorney appointed, and all others, resonable fees for their services; and where the estate is insufficient to pay costs of administration and debts, then the distribution shall be made *pro rata*, saving to the parties entitled by laws now in force the liens allowed them; and, if any party in interest shall deem the order of sale improper, he may appeal to the circuit judge, who shall take all the papers from the county court and decide the question, and certify it to the county court; and, if he decides a sale is not necessary, then no sale shall be made—or, if he affirms the order of county court, the sale shall proceed; the administrator or executor shall be considered as representing the creditors, or they, or any of them, may enter an appearance as plaintiffs with executor or administrator, and shall have a right to be heard; and where liens or preferences shall be claimed, issues may be made between parties contending, and be heard and decided by the county court; and from these issues and decisions the parties may appeal to the circuit court, as in other cases; but these appeals shall not remove any more of the cause than is necessary to an understanding of the contest; and, when decided by the circuit judge, he shall certify back to the county court his judgment, which shall be recorded, and the papers taken up shall be returned, or the county judge

may cause the parties to agree the points of dispute for the decision of the circuit court, and certify the same, without removing any of the papers; and during the decisions of the questions between disputants, the administration of the estate shall progress, if it can do so, reserving enough to make good what the contestants may be entitled to. After the petition is filed, no suit shall be brought against the administrator or executor, but all claimants against the estate shall file their claims in the county court, with the clerk thereof; and proof thereof may be made in said court in term time, or the affidavits required by law may be made before any justice of the peace or the presiding judge of the county court; and where claims are disputed, the same shall be determined on issues formed by the parties, before the county court, as in other cases—or, if over the amount the county court judge has power by law to try, they shall stand for hearing in the next circuit court—that court requiring the parties to frame issues to try the claims set up, or defenses thereto; but the administration shall progress, if it can be done, reserving enough to pay said claim or claims, *pro rata: Provided*, that the chancellor of the Louisville chancery court and the judges of the circuit courts shall have concurrent jurisdiction with the presiding judge, in all cases arising under the provisions of this section, within the jurisdiction of said chancery and circuit conrts: *Provided*, the presiding judge of the county court shall not practice as an attorney at law in the county.

§ 17. Whenever suit is brought before the presiding judge, for the settlement of an estate agreeably to the provisions of this act, he shall cause an advertisement to be made, by publication at least four times, by weekly insertions, in any newspaper printed in the county; and if there be none, then in such paper having a circulation in the county as the judge may designate, and by advertisements posted up at four or more public places in the county—one of which shall be at the court house door, and one in the neighborhood of the decedent's last residence—at least thirty days previous, giving notice to creditors to come forward and prove their claims before him, at such times and places as he may designate in the advertisement; and he shall tax the cost of such advertisement with the other costs of the suit.

§ 18. The presiding judges of the county court shall enter upon the duties of their office on the second Monday in June, 1851.

Mr. Purdy moved to amend said bill in the 6th section, and the proviso of said section, by striking out the word "county," which is printed in *italics*, and insert the word "court."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Heady, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
Robert A. Athey,	Alfred F. Graham,	Strother D. Mitchell,
R. T. Baker,	Norvin Green,	George H. Morrow,
William S. Black,	William M. Green,	Joel Murphy,

William Bradley,	Thomas S. Grundy,	Benjamin L. Owens,
Carlo B. Brittain,	Lysander Hord,	Wm. Preston,
John B. Bruner,	George W. Kavanaugh,	Edward C. Purdy,
William H. Calvert,	Samuel A. Kingman,	John Rodman,
Robert H. Campbell,	Daniel Landes,	C. C. Rogers,
Alexander P. Churchill,	Peter Lashbrooke,	John Shawhan,
Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Edward F. Dulin,	Caleb W. Logan,	Thomas W. Varnon,
Alvin Duvall,	George W. Mansfield,	William T. Ward,
Edgar B. Gaither,	Hiram McElroy,	G. W. Williams, of B.
Wm. H. Gardner,	John S. McFarland,	G. W. Williams, of H—48.

Those who voted in the negative, were

James B. Allen,	William M. Gray,	Julian N. Phelps,
John B. Arnold,	Samuel Hanson,	Thomas W. Riley,
William Beeler,	William Harris,	Burwell C. Ritter,
George P. Brown,	Randall G. Hays,	Joseph W. Rowlett,
George R. Burgess,	Stilwell Heady,	John L. Sallee,
George T. Campbell,	Samuel B. Jesup,	Basil G. Smith,
Henry R. D. Coleman,	Hiram Klette,	Jesse S. Taylor,
John W. Cook,	Joseph H. Lewis,	William T. Terrill,
Richard H. Field,	Wm. C. Marshall,	John Tompson,
Squire Gatliff,	Daniel Matthewson,	Marcus L. Williams,
Samuel L. Geiger,	Morton P. Moore,	James T. Woodward,
Cyrenius W. Gilmore,	Wm. B. Murphy,	Edmund Wooldridge—38.
William H. Grainger,	Thomas Y. Payne,	

Mr. Williams, of Bourbon, moved to amend said bill in the proviso of the same section, by inserting after the word "clerk," printed in *italics*, the words, "or in the magistrates' courts of his county."

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	George W. Mansfield,
James B. Allen,	Cyrenius W. Gilmore,	Daniel Matthewson,
Wm. Beeler,	Wm. H. Grainger,	Joel Murphy,
William S. Black,	William M. Gray,	Wm. B. Murphy,
Wm. Bradley,	Norvin Green,	Benjamin L. Owens,
Carlo B. Brittain,	Wm. M. Green,	Julian N. Phelps,
George R. Burgess,	Thomas S. Grundy,	Thomas W. Riley,
George T. Campbell,	George M. Hampton,	John Rodman,
Alexander P. Churchill,	Stilwell Heady,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel B. Jesup,	John L. Sallee,
John W. Cook,	Samuel A. Kingman,	William T. Terrill,
Winston J. Davie,	Hiram Klette,	John Tompson,
Asbury Dawson,	Daniel Landes,	G. W. Williams, of B.
Edward F. Dulin,	Peter Lashbrooke,	G. W. Williams, of H.
Richard H. Field,	Preston H. Leslie,	Marcus L. Williams,
Squire Gatliff,	Joseph H. Lewis,	James T. Woodward—48.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
George P. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Lucius Desha,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Alfred F. Graham,
Samuel Hanson,
William Harris,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Burwell C. Ritter,
C. C. Rogers,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Edmund Wooldridge—44.

Mr. Hanson moved to amend said bill in the proviso of said section, by adding after the amendment of Mr. Williams, of Bourbon, the words, "or Circuit Court."

The Speaker decided said amendment out of order.

From which decision of the Chair, Mr. Hanson took an appeal.

Mr. Heady moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Rodman, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,
R. T. Baker,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
John W. Cook,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William M. Gray,
William M. Green,
Thomas S. Grundy,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
Ambrose H. Talbott,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H—54.

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Thomas Y. Payne,
John B. Arnold,	Cyrenius W. Gilmore,	Thomas W. Riley,
Wm. Beeler,	John G. Gooch,	Burwell C. Ritter,
William S. Black,	Alfred F. Graham,	John Shawhan,
George T. Campbell,	George M. Hampton,	Basil G. Smith,
Henry R. D. Coleman,	Samuel Hanson,	Albert G. Talbott,
Winston J. Davie,	Randall G. Hays,	Jesse S. Taylor,
Asbury Dawson,	Samuel B. Jesup,	William T. Terrill,
Lucius Desha,	Daniel Landes,	Marcus L. Williams,
Richard H. Field,	Joseph H. Lewis,	James T. Woodward—30.

Mr. W. M. Green moved to amend said bill by striking out the proviso to the 6th section, as amended.

Mr. Hanson moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Richard H. Field,	Peter Lashbrooke,
James B. Allen,	Edgar B. Gaither,	Caleb W. Logan,
John B. Arnold,	Bernard H. Garrett,	James P. Metcalfe,
R. T. Baker,	Samuel L. Geiger,	Joel Murphy,
William Beeler,	John G. Gooch,	Thomas Y. Payne,
William Bradley,	William M. Gray,	Julian N. Phelps,
George P. Brown,	George M. Hampton,	William Preston,
George R. Burgess,	Samuel Hanson,	Thomas W. Riley,
George T. Campbell,	Randall G. Hays,	Joseph W. Rowlett,
Henry R. D. Coleman,	Stilwell Heady,	John Shawhan,
Lucius Desha,	Samuel B. Jesup,	Basil G. Smith,
Joseph Dougherty,	George W. Kavanaugh,	Albert G. Talbott,
Edward F. Dulin,	Samuel A. Kingman,	Jesse S. Taylor,
Alvin Duvall,	Hiram Klette,	William T. Terrill—43.
Robert English,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Benjamin L. Owens,
Robert A. Athey,	William M. Green,	Edward C. Purdy,
William S. Black,	Thomas S. Grundy,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Daniel Landes,	C. C. Rogers,
John B. Bruner,	Preston H. Leslie,	John L. Sallee,
William H. Calvert,	Joseph H. Lewis,	Ambrose H. Talbott,
Robert H. Campbell,	Andrew S. Linn,	Thomas Todd,
Alexander P. Churchill,	George W. Mansfield,	John Tompson,

John W. Cook,
Winston J. Davie,
Asbury Dawson,
William H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
Alfred F. Graham,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—46.

Mr. Grainger moved a reconsideration of the vote refusing to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sallee and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
R. T. Baker,
William Beeler,
William Bradley,
George P. Brown,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
Wm. M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Peter Lashbrooke,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson—49.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
William S. Black,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
William M. Green,
Lysander Hord,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
Ambrose H. Talbott,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—40.

The question was then taken on laying said bill and amendment on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Samuel L. Geiger,	John S. McFarland,
James B. Allen,	John G. Gooch,	James P. Metcalfe,
John B. Arnold,	Alfred F. Graham,	Morton P. Moore,
R. T. Baker,	William H. Grainger,	Joel Murphy,
William Beeler,	Wm. M. Gray,	Thomas Y. Payne,
William Bradley,	George M. Hampton,	Julian N. Phelps,
George P. Brown,	Samuel Hanson,	William Preston,
George R. Burgess,	Randall G. Hays,	Thomas W. Riley,
George T. Campbell,	Stilwell Heady,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel B. Jesup,	John Shawhan,
Henry R. D. Coleman,	George W. Kavanaugh,	Basil G. Smith,
Lucius Desha,	Samuel A. Kingman,	Albert G. Talbott,
Alvin Duvall,	Hiram Klette,	Jesse S. Taylor,
Robert English,	Peter Lashbrooke,	Wm. T. Terrill,
Richard H. Field,	Caleb W. Logan,	John Tompson—46.
Bernard H. Garrett,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Benjamin L. Owens,
Robert A. Athey,	Cyrenius W. Gilmore,	Edward C. Purdy,
William S. Black,	Wm. M. Green,	Burwell C. Ritter,
Carlo B. Brittain,	Thomas S. Grundy,	John Rodman,
George I. Brown,	Lysander Hord,	C. C. Rogers,
John B. Bruner,	Daniel Landes,	John L. Sallee,
Wm. H. Calvert,	Preston H. Leslie,	Ambrose H. Talbott,
Robert H. Campbell,	Joseph H. Lewis,	Thomas Todd,
John W. Cook,	Andrew S. Linn,	Thomas W. Varnon,
Winston J. Davie,	George W. Mansfield,	William T. Ward,
Asbury Dawson,	Daniel Matthewson,	George W. Williams, of B.
Joseph Dougherty,	Hiram McElroy,	G. W. Williams, of H.
Edward F. Dulin,	Strother D. Mitchell,	Marcus L. Williams,
Edgar B. Gaither,	George H. Morrow,	James T. Woodward—42.

Mr. Preston, from the committee on arrangements for the funeral of John F. Todd, reported a bill to purchase a burial place in the Frankfort Cemetery, which was read the first time as follows, viz:

Whereas, there is no appropriate burial place belonging to the commonwealth of Kentucky, in the vicinity of the capitol, and resolutions have been adopted, ordering the remains of some illustrious citizens, who during their lives rendered important services to the state, to be disinterred, for the purpose of permitting the rites of public sepulture to be administered: Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be authorized and requested to purchase from the Frankfort Cemetery Company, the six lots known as Nos. 131, 132, 143, 144, 154, and 155, in said Cemetery, and the streets and alleys included between said lots, for the use of the State; and upon receiving proper assurances of title therefor, the Governor aforesaid shall

have authority to draw an order on the Treasurer of this Commonwealth for any sum not exceeding six hundred dollars, in favor of said company, for the purchase money of said lots.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and second and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	Morton P. Moore,
James M. Alexander,	William H. Gardner,	George H. Morrow,
Robert A. Athey,	Samuel L. Geiger,	Benjamin L. Owens,
R. T. Baker,	Cyrenius W. Gilmore,	Thomas Y. Payne,
William Bradley,	Thomas S. Grundy,	William Preston,
George I. Brown,	Samuel Hanson,	Edward C. Purdy,
George P. Brown,	Stilwell Heady,	Thomas W. Riley,
John B. Bruner,	Lysander Hord,	Burwell C. Ritter,
George R. Burgess,	Samuel B. Jesup,	C. C. Rogers,
Wm. H. Calvert,	George W. Kavanaugh,	Basil G. Smith,
Robert H. Campbell,	Hiram Klette,	Albert G. Talbott,
Alexander P. Churchill,	Daniel Landes,	Ambrose H. Talbott,
Henry R. D. Coleman,	Preston H. Leslie,	Jesse S. Taylor,
John W. Cook,	Joseph H. Lewis,	Thomas Todd,
Winston J. Davie,	Caleb W. Logan,	John Tompson,
Lucius Desha,	Hiram McElroy,	Thomas W. Varnon,
Edward F. Dulin,	John S. McFarland,	William T. Ward,
Alvin Duvall,	James P. Metcalfe,	G. W. Williams, of H.
Richard H. Field,	Strother D. Mitchell,	James T. Woodward—57.

Those who voted in the negative, were

James B. Allen,	John G. Gooch,	Daniel Matthewson,
John B. Arnold,	Alfred F. Graham,	Joel Murphy,
Wm. Beeler,	William M. Gray,	Julian N. Phelps,
William S. Black,	William M. Green,	Joseph W. Rowlett,
Carlo B. Brittain,	George M. Hampton,	John L. Sallee,
George T. Campbell,	Randall G. Hays,	John Shawhan,
Asbury Dawson,	Peter Lashbrooke,	William T. Terrill,
Robert English,	Andrew S. Linn,	George W. Williams, of B.
Bernard H. Garrett,	George W. Mansfield,	Marcus L. Williams—28.
Squire Gatliff,		

And then the House adjourned.

SATURDAY, MARCH 1, 1851.

1. Mr. Dawson presented the petition of Henry D. Young, and others, of Simpson county, praying that further compensation may be allowed said Young for keeping an idiot.

2. Mr. G. P. Brown presented the petition of citizens of Laurel county, praying that John A. Hunt be allowed to peddle goods without license.

3. Mr. Duvall presented the petition of sundry citizens of Scott county, praying a change in the charter of the Lexington and Covington Turnpike Road Company.

4. Mr. Metcalfe presented the remonstrance of citizens of Nicholas county, against a change of a Justices' district in said county.

5. Mr. Calvert presented the petition of sundry citizens of Caldwell county, in relation to a Justices' district in said county.

6. Mr. Hays presented the petition of sundry citizens of Hardin county, praying for an additional Justices' and Constables' district in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to the committee on Propositions and Grievances; the 3d to the committee on the Judiciary; and the 4th, 5th, and 6th, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock.

On motion of Mr. Allen,

Leave was granted to bring in a bill for the benefit of several school districts.

Ordered, That the committee on Education prepare and bring in the same.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act providing for an election to be held for the location of the seat of justice of Owsley county.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the Western Coal and Manufacturing Company.

An act to incorporate the Hancock Mining Company.

That they had passed bills of the following titles, viz:

An act for the benefit of the heirs of Benjamin F. Thomas, deceased.

An act for the benefit of John Goodin.

An act to incorporate the Deposit Bank of Maysville.

Bills from the Senate of the following titles, viz:

1. An act to provide for the organization of the militia of this State.

2. An act for the benefit of Malachi A. Pickering, of Caldwell county.

3. An act to amend the charter of the Clear Creek Turnpike Road, of Shelby county.

4. An act to incorporate Pikeville Division, No. 79, Sons of Temperance.

5. An act to incorporate Blandville Lodge, No. 142, of Free and Accepted Masons.

6. An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

7. An act to amend an act, entitled, an act to charter the Bowlingreen and Tennessee Railroad Company.

8. An act for the benefit of the Sheriff of Boone county.

9. An act to incorporate Union College, in the town of Morganfield, in Union county.

10. An act to incorporate the Peacock Coal Mining Company, of Owsley county.

11. An act to amend an act to incorporate the Shelbyville and Taylorsville Turnpike Road Company.

12. An act for the benefit of the Sheriff of Lawrence county.

13. An act further to provide for the collection of tolls on Kentucky, Green, and Barren rivers.

14. An act in relation to Magistrates' and Constables' Districts in Caldwell county.

15. An act in relation to the Internal Improvement Fund of McCracken county.

16. An act to authorize the sale of the Parsonage of the Glasgow Circuit of the Methodist Episcopal Church, South.

17. An act concerning the Magistrates' and Constables' Districts in Christian county.

18. An act to change the place of voting in an election precinct in Jefferson county.

19. An act allowing an additional Magistrates' and Constables' District in Scott county.

20. An act for the benefit of the Danville and Hustonville Turnpike Road Company.

21. An act requiring the Superintendent of Public Instruction to keep his office at the seat of government.

22. An act for the benefit of the heirs of Benjamin F. Thomas, deceased.

23. An act for the benefit of John Goodin.

24. An act to incorporate the Deposit Bank of Maysville.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the committee on Military Affairs; the 2d, 4th, 5th, 8th, 10th, and 16th, to the committee on the Judiciary; the 3d, 6th, 7th, 11th, 13th, 15th, and 20th, to the committee on Internal Improvement; the 9th and 21st to the committee on Education; the 12th to the committee on Ways and Means; the 14th and 17th to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 18th to the committee on Privileges and Elections; the 19th to the committee on Propositions and Grievances; the 22d to the committee on Claims; the 23d to the committee on Agriculture and Manufactures; and the 24th to the committee on Banks.

Ordered, That the amendment proposed by the Senate, to a bill from this House, entitled, an act to authorize the County Court of Shelby to subscribe stock in roads, be referred to the committee on the Judiciary.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to extend the duty of the Commissioners of Tax.

An act to incorporate the town of Mountsterling.

An act to incorporate the Columbus Masonic Seminary, in Hickman county.

An act authorizing the election of officers of the Glasgow and Scottsville Turnpike Road.

An act to incorporate the Carrollton Library Society.

An act for the benefit of Riley McGuire.

An act to prevent the destruction of fish in Barebone Creek, in Trimble county, and Floyd's Fork, in Jefferson county.

An act in relation to Flint Island School District, No. 5, in Breckinridge county.

An act to create the office of Police Judge, in the town of Clinton.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to authorise the County Court of Nelson to subscribe stock in the Louisville and Nashville Railroad Company, were taken up, twice read, and concurred in with an amendment.

The Speaker laid before the House a communication from the First Auditor, which is as follows, viz:

AUDITOR'S OFFICE,
FRANKFORT, March 1, 1851.

Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: In obedience to the directions of the 10th section of an act, entitled, "an act for the appropriation of money," approved March 7, 1850, I herewith "report to the General Assembly, a statement of the settle-

ment of the accounts of the (Lexington) Kentucky Lunatic Asylum," for the year 1850.

No report has been made to this office by the Commissioners of the Second Kentucky Lunatic Asylum. Respectfully submitted,

J. BARBOUR, *Auditor Public Accounts.*

The House again resumed the consideration of the bill to suppress the practice of adulterating spirituous liquors, &c.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter, all dealers in liquors or wines, either foreign or domestic, shall not be permitted (under the specious pretext of rectifying) to adulterate the same by adding thereto coclicus indicus, juniper berries, tobacco, soap, vitriol, log wood, or any other drug or chemical preparation.

§ 2. That it shall be the duty of inspectors of liquor in the city of Louisville, and in all other towns or cities where inspectors have or may be appointed in this commonwealth, if they suspect that whiskey, brandy, gin, or wine, which they may be called on to inspect, contains any thing impure, or other than the extract of the grain or fruit from which it is made, to cause the same to be analyzed by some skillful chemist, and if found to contain any such impurities or drugs, that said inspector shall mark upon the head of the barrel, or other vessel containing the same, in plain letters, the word "condemned."

§ 3. That if any person or persons in this commonwealth, shall knowingly buy or sell any rectified whisky, brandy, gin, or wine, containing any adulteration as contemplated by this act, such person or persons shall forfeit and pay a fine to the commonwealth of not more than $500, nor less than 20 cents per gallon for all such impure liquors or wine bought or sold, to be recovered by action of debt before any court or justice of the peace having competent jurisdiction, or on presentment of a grand jury, to be collected and paid as other fines and forfeitures, in aid of the jury fund.

§ 4. That in all prosecutions against wholesale dealers for a violation of this act, the fact of rectifying shall be considered *prima facie* evidence of adulteration, and the defendant's knowledge thereof.

§ 5. That all costs and charges of inspection and analyzing spirits, shall be paid by the owner of such spirits: *Provided*, that this act shall not take effect until the 1st day of June, 1851.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrett and Linn, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Thomas S. Grundy,	Edward C. Purdy,
John B. Arnold,	George M. Hampton,	Thomas W. Riley,
William Beeler,	Samuel Hanson,	Burwell C. Ritter,
William S. Black,	Randall G. Hays,	John Rodman,
William Bradley,	Stilwell Heady,	Joseph W. Rowlett,
George I. Brown,	Daniel Landes,	John L. Sallee,

John B. Bruner,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Robert English,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
William M. Green,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Julian N. Phelps,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—55.

Those who voted in the negative, were

James M. Alexander,
Robert A. Athey,
R. T. Baker,
George P. Brown,
George R. Burgess,
John W. Cook,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
William H. Grainger,
Norvin Green,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
George H. Morrow,
William Preston,
John Shawhan,
James T. Woodward—29.

Resolved, That the title thereof be as aforesaid.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz:

To the Hon. GEORGE W. JOHNSTON,
Speaker of the House of Representatives.

SIR: Please lay before the House over which you preside, the accompanying report in relation to the claim of James McConnell.

Most respectfully, J. SPEED SMITH.

[*For Report—see Legislative Documents.*]

On motion of Mr. McElroy,

The House took up the resolution proposed by him on the 25th January last, fixing a day for the final adjournment of the General Assembly.

Mr. Athey moved to amend said resolution by striking out all after the word "Resolved," and insert in lieu thereof the following, viz:

That the General Assembly will adjourn as soon as it shall have enacted all the laws required by the Constitution to be passed by this, the first General Assembly under that Constitution, and not till then.

And after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

Mr. McFarland moved a reconsideration of the vote laying on the table the bill from the Senate, entitled, an act to organize County Courts

in the several counties, and the amendment proposed thereto by Mr. W. M. Green.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ritter and Landes, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	William M. Green,	Benjamin L. Owens,
Robert A. Athey,	Thomas S. Grundy,	Julian N. Phelps,
Wm. S. Black,	Lysander Hord,	Edward C. Purdy,
Carlo B. Brittain,	Hiram Klette,	Burwell C. Ritter,
George I. Brown,	Daniel Landes,	John Rodman,
George P. Brown,	Preston H. Leslie,	C. C. Rogers,
John B. Bruner,	Joseph H. Lewis,	John L. Sallee,
William H. Calvert,	Andrew S. Linn,	Basil G. Smith,
Robert H. Campbell,	Caleb W. Logan,	Albert G. Talbott,
John W. Cook,	George W. Mansfield,	Ambrose H. Talbott,
Winston J. Davie,	Daniel Matthewson,	Thomas Todd,
Asbury Dawson,	Hiram McElroy,	Thomas W. Varnon,
Joseph Dougherty,	John S. McFarland,	William T. Ward,
Edgar B. Gaither,	Strother D. Mitchell,	G. W. Williams, of H.
Wm. H. Gardner,	Morton P. Moore,	Marcus L. Williams,
Squire Gatliff,	George H. Morrow,	James T. Woodward,
Cyrenius W. Gilmore,	Joel Murphy,	Edmund Wooldridge—53.
Norvin Green,	William B. Murphy,	

Those who voted in the negative, were

James M. Alexander,	Richard H. Field,	George W. Kavanaugh,
James B. Allen,	Bernard H. Garrett,	Samuel A. Kingman,
R. T. Baker,	Samuel L. Geiger,	Peter Lashbrooke,
William Beeler,	John G. Gooch,	William C. Marshall,
Wm. Bradley,	Alfred F. Graham,	Thomas Y. Payne,
George R. Burgess,	William H. Grainger,	William Preston,
George T. Campbell,	William M. Gray,	Thomas W. Riley,
Alexander P. Churchill,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel Hanson,	John Shawhan,
Lucius Desha,	Randall G. Hays,	Jesse S. Taylor,
Alvin Duvall,	Stilwell Heady,	Wm. T. Terrill,
Robert English,	Samuel B. Jesup,	John Tompson—36.

The question was then taken on laying said bill and amendment on the table, and it was decided in the negative.

Mr. W. M. Green then modified his amendment so as to strike out of the proviso to the sixth section, the following words: "or in any room communicating therewith."

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William S. Black,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
Asbury Dawson,
Alvin Duvall,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Norvin Green,
William M. Green,
George M. Hampton,
Lysander Hord,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
George H. Morrow,
Joel Murphy,
William B. Murphy,
William Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—45.

Those who voted in the negative, were

James B. Allen,
William Beeler,
William Bradley,
Carlo B. Brittain,
John B. Bruner,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Robert English,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Thomas S. Grundy,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
Peter Lashbrooke,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson—41.

Mr. Duvall moved an amendment to said bill, as a substitute.

A message was received from the Governor, by Mr. Smith, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act for the benefit of the securities of James White, Deputy Sheriff of Mason county. Approved February 14, 1851.

An act to amend an act, entitled, an act to incorporate the Lexington Fire, Life, and Marine Insurance Company, approved March 1, 1836.

An act for the benefit of the Justices of the Hickman County Court.

An act providing for the election of certain officers in the town of Paducah.

An act for the benefit of the Trustees of Waidsboro'.

Approved February 15, 1851.

An act to authorize the Trustees of the town of Cadiz to sell a part of Main or Washington street, in said town.

An act to incorporate Lexington Division, No. 21, Sons of Temperance.

An act for the benefit of Harvey M. Brown.

An act for the benefit of James J. Hall.

An act for the benefit of James E. Stone, Clerk of the Hancock Circuit and County Court.

An act giving to the Clerk of the McCracken Circuit and County Court further time to collect his fee bills.

An act to incorporate Mayfield Lodge, No. 146, of Free and Accepted Masons.

An act for the benefit of Charles P. Tate, late Sheriff of Casey county.

An act to condemn land in Fleming county for a burial ground.

An act for the benefit of certain School Districts in the counties of Hart, Casey, Fulton, Bath, Owen, Clay, Johnson, Graves, Washington, and Henry. Approved February 17, 1851.

An act to re-organize and regulate the office of Police Judge in the town of Hickman.

An act to incorporate the Marine Insurance Company, at Paducah.

An act for the benefit of Asbury Chapel, in the city of Louisville.

An act to regulate tolls on Turnpike Roads in Kenton county.

An act to regulate tolls on Turnpike Roads in Mason county.

Approved February 18, 1851.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Deposit Bank of Paris, Bourbon county.

An act to legalize the appointment of Assessors of Tax by the County Court of Daviess, at their February term, 1851.

An act authorizing the sale of certain streets and an alley in the town of Russellville.

An act for the benefit of Alfred F. Gowdy, Clerk of the Taylor County Court.

An act authorizing the Trustees of Winchester to sell the public spring lot, in said town.

An act incorporating the United Baptist Church in Taylor county.

An act to incorporate the Medico Chirurgical Society of the Kentucky School of Medicine, in the city of Louisville.

An act to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts, on the *ad valorem* principle.

An act to amend the Common School laws.

An act authorizing the sale of certain streets in the town of Glasgow.

An act to incorporate the Cumberland Presbyterian Church, in the town of Paducah.

An act to incorporate the town of Williamsburg, in Whitley county.

An act to incorporate the Hancock Manufacturing Company.

An act to create the offices of Police Judge and Marshal in the town of Moscow, in Hickman county.

An act relative to holding elections in certain districts in Owen and Mason counties.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to incorporate Montgomery Lodge, No. 18, of the Independent Order of Odd Fellows.

An act to incorporate the Louisville Paper Mill.

An act to incorporate Sligo Division, No. 18, Sons of Temperance, in Henry county.

An act to incorporate the Georgetown Chapter, No. 13, of Free and Accepted Masons, and to amend an act incorporating Mount Vernon Lodge, No. 14.

An act to incorporate Hobson Lodge, No. 63, I. O. O. F.

An act to incorporate Russellville Division, No. 51, Sons of Temperance.

An act to extend the limits of the town of Shelbyville.

An act to change a part of the State road from Canton to Hickman.

An act to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg.

An act for the benefit of John Clay, of Nicholas county.

An act to amend an act, entitled, an act to incorporate the Paris, Winchester, and Kentucky River Turnpike Road Company, &c., approved February 25, 1848.

An act to authorize the Trustees of Winchester to sell the stray-pen, and prescribing the duties of the Clarke County Court in regard to strays.

An act to amend an act appointing Trustees for Moscow Seminary, in Hickman county.

An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport.

An act to charter the Louisville Homœpathic College of Medicine.

An act to amend an act, entitled, an act to amend and re-enact an act, entitled, an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

And bills from the Senate, of the following titles, viz:

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Road Company.

An act to provide for the appointment of Circuit Judges *pro tem.*

An act to amend an act, entitled, an act to incorporate the Columbus Fire, Life, and Marine Insurance Company.

An act to amend the charter of the Taylor County Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Hopkinsville Fire, Life, and Marine Insurance Company.

An act to change the boundary lines of the town of Harrodsburg, and to increase the town tax.

An act to incorporate the Mayfield Presbyterial Seminary.

An act to change the place of voting in the 5th district for the election of Justices of the Peace and Constables, in Trigg county.

An act for the benefit of Mrs. Ann Ellis, of Todd county.

An act to provide for the payment of the interest of the School Fund.

An act to incorporate the Grand Temple of Honor of the State of Kentucky, and the subordinate Temples.

An act to authorize the town of Paducah to subscribe stock in a Plank Road, and the Duck River Slackwater Navigation Company.

An act to incorporate the Narrows Bridge Company.

An act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

An act to change the place of voting from Mason Gardner's to John F. Blandford's, in Marion county.

An act to amend the charter of the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The following bills were reported, viz:

By Mr. Hays—1. A bill allowing additional Justices' and Constables' districts in Hardin county.

By Mr. Calvert—2. A bill to incorporate the Erodelphian Society of Cumberland College.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, MARCH 3, 1851.

1. Mr. Hord presented the petition of R. T. P. Allen, Superintendent of the Kentucky Military Institute, on behalf of the faculty thereof, praying the passage of an act making it a penal offense to furnish or sell the students therein any intoxicating drinks, and withholding legal aid in the collection of debts incurred by them without the consent of parents and guardians.

2. Mr. Gatliff presented the petition of the School Commissioners of Whitley county, praying that they may be permitted to report School District, No. 12, in said county, for the year 1849, and District, No. 2, for the year 1850, to the Superintendent of Public Schools, and that the amount due said Districts be paid to them.

3. Mr. Marshall presented the petition of citizens of the town of Foster, in Bracken county, praying that an act may be passed, legalizing the proceedings of the Bracken County Court at its October term, 1850.

4. Mr. Beeler presented the petition of James McClure, and citizens of Larue county, praying that said McClure may be allowed to keep a coffee house in Hodgenville, by paying the price of a tavern license.

5. Mr. Silvertooth presented the petition of sundry citizens of Fulton county, praying an appropriation to make a levee on the Mississippi river.

6. Mr. Kingman presented the petition of citizens of Livingston county, praying the passage of an act making retailers of intoxicating drinks responsible for the injuries sustained by others, by reason of said vending.

7. Mr. N. Green presented the petition of S. W. Hunt, of Henry county, praying the passage of an act, authorizing the Superintendent of Public Instruction to receive the report of School Districts, Nos. 21 and 43, in said county, and that the Commissioners of said county be paid the amounts due said School Districts.

8. Mr. Duvall presented the petition of citizens of Scott county, praying an act of incorporation for a company to construct a road, to be called the Iron Works Turnpike road.

9. Mr. Payne presented the petition of citizens of Mason county, praying the passage of an act authorizing the collection of interest not exceeding ten per cent. on money loaned, where said rate is expressed on the face of the obligation.

10. Mr. Kavanaugh presented the petition of Martin G. Hill, praying

An act to change the place of voting in the 5th District, for the election of Justices of the Peace and Constables, in Trigg county.

An act to incorporate the Ciceronian Society of Shelby College.

An act for the benefit of John B. Whalen, of Marion county.

An act to amend the act incorporating the Maysville and Lexington Railroad Company.

An act to incorporate Hebron Lodge, No. 19, Independent Order of Odd Fellows.

An act granting the town of Salvisa a Police Judge and Town Marshal.

An act concerning the Treasurer of Graves county.

An act to incorporate the Fredonia Cumberland Presbyterian Church, in Caldwell county.

An act to incorporate Bullitt Royal Arch Chapter, No. 44.

An act to incorporate Germantown Lodge, No. 207, of Free and Accepted Masons.

An act for the benefit of the widow and heirs at law of Samuel Scott, deceased.

An act to amend the charter of the Cave Hill Cemetery.

An act to amend an act establishing the Covington Commercial College.

An act for the benefit of John G. Parks, Clerk of the Nicholas County Court.

An act to run and re-mark the boundary lines between the counties of Lewis and Mason.

An act to incorporate Phœnix Lodge, No. 28, of the Independent Order of Odd Fellows.

An act to provide for the interment of the remains of the Kentuckians who fell at Raisin.

An act to allow an additional Magistrates' and Constables' District, in the county of Barren.

An act to amend the charter of the Bowlinggreen and Tennessee Railroad Company.

An act to incorporate Salt River Lodge, No. 180, in the town of Mount Washington, in Bullitt county.

An act to incorporate Warren Lodge, No. 53, of Free and Accepted Masons, and Daviess Chapter, No. 29.

An act for the benefit of the children and heirs of Michael Duvane and Penelope Thornton, deceased.

An act to incorporate the Lexington Benevolent Female Society.

Approved February 17, 1851.

An act to incorporate the Falls City Insurance Company of Louisville. Approved February 20, 1851.

Mr. Hanson, from the committee on the Judiciary, to whom was referred the petition of Malinda Harris, and the petition of William Barnett, executor of Caroline R. Currie, asked to be discharged from the further consideration of the same, which was granted.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act in relation to Justices' and Constables' Districts in Fleming county.

An act to change the place of voting in the 4th Magistrates' district, in Cumberland county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Education—A bill for the benefit of School District, No. 19, in Meade county.

By the committee on the Judiciary—A bill giving further time to the citizens of Whitley county to return plats of surveys made on lands in said county.

By same—A bill authorizing the Winchester and Kentucky River Turnpike Road Company to erect gates on certain conditions.

By same—A bill to include the house and lot of Arthur Smith within the town of Cadiz.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the resolution fixing a day for the final adjournment of the General Assembly, and the substitute proposed therefor by Mr. Athey.

Mr. Hanson moved to lay said substitute on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Athey and Baker, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	William M. Gray,	Joel Murphy,
William S. Black,	Norvin Green,	William B. Murphy,
William Bradley,	Samuel Hanson,	Benjamin L. Owens,

Carlo B. Brittain,	Randall G. Hays,	Thomas Y. Payne,
George I. Brown,	Samuel B. Jesup,	Julian N. Phelps,
George R. Burgess,	George W. Kavanaugh,	Thomas W. Riley,
Wm. H. Calvert,	Samuel A. Kingman,	Burwell C. Ritter,
George T. Campbell,	Hiram Klette,	John Shawhan,
Henry R. D. Coleman,	Daniel Landes,	Basil G. Smith,
Winston J. Davie,	Peter Lashbrooke,	Albert G. Talbott,
Asbury Dawson,	Andrew S. Linn,	William T. Terrill,
Lucius Desha,	George W. Mansfield,	John Tompson,
Robert English,	Hiram McElroy,	Thomas W. Varnon,
Richard H. Field,	John S. McFarland,	William T. Ward,
William H. Gardner,	George H. Morrow,	Marcus L. Williams—45.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Morton P. Moore,
James M. Alexander,	Cyrenius W. Gilmore,	William Preston,
John B. Arnold,	John G. Gooch,	Edward C. Purdy,
Robert A. Athey,	Alfred F. Graham,	John Rodman,
R. T. Baker,	William M. Green,	C. C. Rogers,
Wm. Beeler,	Thomas S. Grundy,	Joseph W. Rowlett,
George P. Brown,	George M. Hampton,	John L. Sallee,
John B. Bruner,	P. B. Hawkins,	George W. Silvertooth,
Edward F. Dulin,	Preston H. Leslie,	Ambrose H. Talbott,
Alvin Duvall,	Joseph H. Lewis,	Jesse S. Taylor,
Edgar B. Gaither,	Caleb W. Logan,	Thomas Todd,
Bernard H. Garrett,	William C. Marshall,	G. W. Williams, of H.
Squire Gatliff,	James P. Metcalfe,	James T. Woodward—39.

Mr. W. M. Green moved to amend said resolution by striking out the word "tenth," and inserting the words "thirty-first.

Mr. N. Green moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Brittain, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Cyrenius W. Gilmore,	William B. Murphy,
William Beeler,	John G. Gooch,	Benjamin L. Owens,
William S. Black,	Wm. M. Gray,	Thomas Y. Payne,
William Bradley,	Norvin Green,	Julian N. Phelps,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	George M. Hampton,	Thomas W. Riley,
George P. Brown,	Samuel Hanson,	Burwell C. Ritter,
George R. Burgess,	Randall G. Hays,	John Rodman,
George T. Campbell,	Samuel B. Jesup,	C. C. Rogers,
Alexander P. Churchill,	George W. Kavanaugh,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel A. Kingman,	John Shawhan,
Winston J. Davie,	Hiram Klette,	George W. Silvertooth,
Asbury Dawson,	Daniel Landes,	Basil G. Smith,
Lucius Desha,	Peter Lashbrooke,	Albert G. Talbott,
Edward F. Dulin,	Joseph H. Lewis,	Ambrose H. Talbott,
Robert English,	Andrew S. Linn,	Wm. T. Terrill,

Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
George W. Mansfield,
Wm. C. Marshall,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Marcus L. Williams—62.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
John B. Bruner,
Wm. H. Calvert,
Alvin Duvall,
Squire Gatliff,
Alfred F. Graham,
Wm. M. Green,
P. B. Hawkins,
Lysander Hord,
Preston H. Leslie,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
William Preston,
John L. Sallee,
Jesse S. Taylor,
Thomas Todd,
G. W. Williams, of H.
James T. Woodward—25.

Mr. McElroy then moved to amend said resolution by striking out the word "tenth," and inserting in lieu thereof, the word "seventeenth."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Black, were as follows, viz:

Those who voted in the affirmative, were

William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George R. Burgess,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
William H. Gardner,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—56.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
William M. Green,
Thomas S. Grundy,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
Ambrose H. Talbott,

John B. Bruner,
William H. Calvert,
George T. Campbell,
P. B. Hawkins,
Preston H. Leslie,
Caleb W. Logan,
William T. Terrill,
Thomas Todd—29.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—72.

Those who voted in the negative, were

James B. Allen,
Robert A. Athey,
R. T. Baker,
William H. Grainger,
William M. Green,
P. B. Hawkins,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
William Preston—11.

The House again resumed the consideration of the bill from the Senate, entitled, an act to organize County Courts in the several counties, and the amendment proposed by Mr. Duvall, as a substitute for said bill.

The said amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a county court shall be and is hereby established in each county of this commonwealth, which shall be held at the same times and places that existing county courts are now directed by law to be held.

§ 2. That the office of associate judge of the county court, mentioned

in the 29th section of the 4th article of the constitution, be abolished, and that said court shall consist of one judge.

§ 3. The county court shall have cognizance of all causes respecting wills, letters of administration, the laws in relation to executors, administrators, and guardians, and the settlement of their accounts, and the hearing and determination of all testamentary causes; it shall superintend the public inspections, appoint processioners, and hear and determine, according to law, causes between master and apprentice; it shall have power to establish and regulate ferries, appoint inspectors, collectors, and their deputies, commissioners for the assignment of dower and partition of lands and slaves, hear and determine appeals from justices of the peace, appoint viewers and regulate preliminary proceedings in regard to roads and passways, license magistrates to solemnize marriages, bind out poor children of color, have cognizance of the emancipation of slaves and the record of evidences of freedom, the appointment of commissioners to take proof under the act of 1799, approved 21st December, the regulation of patrols, the appointment of persons to serve process in certain cases, and the regulation of strays and stray pounds; and shall have cognizance of causes in relation to bastardy, and writs of inquiry as to idiots and lunatics, and of all other matters of which the county courts of this commonwealth now have jurisdiction, and wherein three justices of the peace are sufficient to constitute a court for the transaction of such business, which jurisdiction shall be exercised in conformity with the laws now in force regulating proceedings in the county courts; and, in like manner, shall have jurisdiction concurrent with the court of associate justices, of all causes in regard to the grant of tavern licenses, and the restraint of tippling houses.

§ 4. That the presiding judge of the county court shall be a conservator of the peace within his county, and shall have all the power and jurisdiction in cases of riots, routs, and unlawful assemblies, breaches of the peace, and of all misdemeanors, now conferred by law on justices of the peace, subject to the same rules and regulations; and he shall have power, by his warrant, directed to the sheriff or any constable of his county, to cause persons charged with a violation of the penal laws of this commonwealth to be apprehended and brought before him, and to take the recognizance of such person, so charged, to appear and answer the same, or to commit such person to prison, there to remain until discharged by due course of law; and in all such proceedings he shall be governed by existing laws regulating the powers and proceedings of justices in similar cases.

§ 5. The county judge shall receive for his services a compensation, which shall not be changed during his continuance in office, not exceeding fifteen cents nor less than four cents for each qualified voter in the county, which shall be paid from the county treasury; but where counties have less than one thousand voters, they may appropriate any sum not exceeding, in the aggregate, $ nor less than $ per annum.

§ 6. That, hereafter, it shall be the duty of the county judge, under an act regulating the mode of settling the accounts of executors, administrators, and guardians, approved February 24, 1834, to appoint but one commissioner, who shall discharge the duties prescribed by law; and the

party or parties, employing such commissioner, shall pay him the sum of three dollars for the first day, and one dollar and fifty cents for each succeeding day that he may be engaged in such settlement; and for every settlement so made, the commissioner shall pay to the county judge the sum of one dollar and fifty cents from the fees thus collected.

§ 7. That in case of the death, resignation, or inability to serve, of of the county judge, the county court shall be held by one of the justices of the peace of the county, selected by the court of associate justices for that purpose, upon being notified by the clerk of the county court; which justice shall receive a compensation, to be deducted from that of the county judge, in proportion to the time he may discharge the duties of the office.

§ 8. The county court clerks, elected in conformity with the constitution, shall be the clerks of the county courts hereby organized, and shall receive the records, papers, and public property, now in the custody of the clerks of the existing county courts, and they shall be the records of the court hereby organized, in the same manner they now are of the existing county courts.

§ 9. The sheriffs of the several counties shall be the ministerial officers of the several county courts, with the powers, duties, and responsibilities prescribed by law.

Concerning Associate Justices.

§ 10. The presiding judge of the county court, together with a majority of the justices of the peace who may be in commission, or a majority of such justices, shall hold a court for the transaction of business, in the several counties of this commonwealth, at the same times and places that the county courts are now directed to be held, in the months of April and October in each year hereafter; and it shall be the duties of the justices of the peace to attend such courts.

§ 11. The presiding judge of the county court may, at any time, call a special term of the associate justices' court.

§ 12. The presiding judge and associate justices—forming a court as directed in the tenth section—shall have cognizance of all cases concerning the erection and preservation of public buildings, the care and control of the property belonging to the county, the compensation of county officers from the county treasury, the establishment, alteration, and discontinuance of roads and passways, and the erection of gates across the same, the construction of bridges, the care and relief of the poor and infirm, and the erection and regulation of poor-houses, the working upon navigable streams, the allowance of credits to sheriffs upon delinquent lists, and proceedings against delinquents to the revenue, the regulation of tavern rates, the establishment of towns, the powers in relation to the trustees of towns, and the opening of streets and alleys, the sale of vacant lands for internal improvements, and the compensation of commissioners appointed in relation to taxable property, in the same manner and under the same regulations that the existing county courts of this commonwealth now have jurisdiction thereof; and they shall, furthermore, have cognizance of all other matters which are now cognizable by the county court, wherein more than three justices of the peace are now required by law to sit; which jurisdiction shall be

exercised according to the laws now in force; and shall have concurrent jurisdiction with the county court, of all causes relating to the grant of tavern licenses and the restraint of tippling houses.

§ 13. The clerk of the county court shall be the clerk of the court so holden, and the sheriff of the county shall be its ministerial officer; and they shall bear the same relation thereto that they do to the county court.

Concerning the Court of Claims.

§ 14. That the presiding judge, and a majority of the justices of the peace in commission, or a majority of the justices only, shall, in the month of October in each year, hold—as the county courts have heretofore done—a court of claims, to hear, examine, and liquidate all claims charged by law on their respective counties, and to lay the levy therefor upon the county, as prescribed by law; and if they shall fail to do so, they shall, at their next regular or special term, discharge said duties.

§ 15. The court of claims, only, shall have power to make appropriations from the county treasury or lay the county levy.

§ 16. The court of claims shall, at its first session, fix the compensation of the presiding judge of the county court, and shall, thereafter, before the election of his successor or successors, fix the compensation; which shall not be increased nor diminished during the continuance of such judge in office; and the presiding judge shall not have a vote when his compensation is determined.

§ 17. The courts herein mentioned shall be courts of record, and shall have the same power to punish contempts which the existing county courts now possess.

§ 18. That hereafter, it shall not be lawful to make to any clerk or sheriff any allowance for *ex-officio* services, out of the county levies of the several counties of this commonwealth, and that all acts conferring such powers on the county courts are hereby repealed.

§ 19. The presiding judges of the county court shall enter upon their office on the first Monday in June, 1851.

Mr. Leslie moved to amend the bill from the Senate, by striking out the ninth section, and inserting in lieu thereof the following, viz:

The presiding judge of the county court shall have concurrent jurisdiction, both in law and equity, with the circuit courts of this commonwealth, over all causes of action founded upon contract, where the amount in controversy is above the jurisdiction of justices of the peace, and not exceeding two hundred dollars, and in all actions of trespass and trespass on the case, where the damages complained of do not exceed one hundred dollars, except where the title or boundaries to land may be in controversy, under the same rules and regulations as are now prescribed by law, conferring jurisdiction on circuit courts. And said presiding judge shall be allowed the same fees as are now allowed, by law, to clerks of circuit courts for similar services.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Rodman, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Lysander Hord,	John Rodman,
Robert A. Athey,	Samuel A. Kingman,	C. C. Rogers,
George I. Brown,	Daniel Landes,	John L. Sallee,
Winston J. Davie,	Preston H. Leslie,	George W. Silvertooth,
Asbury Dawson,	Andrew S. Linn,	Basil G. Smith,
Edgar B. Gaither,	Hiram McElroy,	Albert G. Talbott,
William H. Gardner,	Strother D. Mitchell,	Ambrose H. Talbott,
Squire Gatliff,	Morton P. Moore,	Thomas W. Varnon,
Cyrenius W. Gilmore,	George H. Morrow,	G. W. Williams, of H.
John G. Gooch,	Joel Murphy,	Marcus L. Williams,
Norvin Green,	Julian N. Phelps,	James T. Woodward,
P. B. Hawkins,	Burwell C. Ritter,	Edmund Wooldridge—36.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Richard H. Field,	William C. Marshall,
James B. Allen,	Bernard H. Garrett,	John S. McFarland,
R. T. Baker,	Samuel L. Geiger,	James P. Metcalfe,
William Beeler,	Alfred F. Graham,	Benjamin L. Owens,
William Bradley,	Wm. H. Grainger,	Thomas Y. Payne,
Carlo B. Brittain,	Wm. M. Gray,	William Preston,
George P. Brown,	William M. Green,	Edward C. Purdy,
John B. Bruner,	Thomas S. Grundy,	Thomas W. Riley,
George R. Burgess,	George M. Hampton,	Joseph W. Rowlett,
George T. Campbell,	Samuel Hanson,	John Shawhan,
Henry R. D. Coleman,	Randall G. Hays,	Jesse S. Taylor,
Lucius Desha,	George W. Kavanaugh,	William T. Terrill,
Edward F. Dulin,	Hiram Klette,	Thomas Todd,
Alvin Duvall,	Joseph H. Lewis,	John Tompson—44.
Robert English,	George W. Mansfield,	

Mr. W. M. Green moved to amend the bill from the Senate, in the 9th section, by striking out the words, "over fifty and."

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrett and Ward, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Edward C. Purdy,
James B. Allen,	Norvin Green,	Thomas W. Riley,
John B. Arnold,	William M. Green,	Burwell C. Ritter,
Robert A. Athey,	Thomas S. Grundy,	John Rodman,
William Beeler,	P. B. Hawkins,	C. C. Rogers,
Wm. S. Black,	Lysander Hord,	Joseph W. Rowlett,
Carlo B. Brittain,	Samuel A. Kingman,	John L. Sallee,
George I. Brown,	Daniel Landes,	John Shawhan,
George P. Brown,	Preston H. Leslie,	George W. Silvertooth,
John B. Bruner,	Joseph H. Lewis,	Basil G. Smith,

William H. Calvert,	Andrew S. Linn,	Albert G. Talbott,
Henry R. D. Coleman,	George W. Mansfield,	Jesse S. Taylor,
Winston J. Davie,	William C. Marshall,	Thomas Todd,
Asbury Dawson,	Hiram McElroy,	Thomas W. Varnon,
Lucius Desha,	John S. McFarland,	William T. Ward,
Edward F. Dulin,	Morton P. Moore,	G. W. Williams, of H.
Robert English,	Joel Murphy,	Marcus L. Williams,
Edgar B. Gaither,	Benjamin L. Owens,	James T. Woodward,
Squire Gatliff,	Julian N. Phelps,	Edmund Wooldridge—58.
Cyrenius W. Gilmore,		

Those who voted in the negative, were

R. T. Baker,	William H. Grainger,	Strother D. Mitchell,
Wm. Bradley,	William M. Gray,	George H. Morrow,
George T. Campbell,	Samuel Hanson,	Thomas Y. Payne,
Alvin Duvall,	Randall G. Hays,	William Preston,
Richard H. Field,	George W. Kavanaugh,	Ambrose H. Talbott,
Wm. H. Gardner,	Hiram Klette,	Wm. T. Terrill,
Bernard H. Garrett,	James P. Metcalfe,	John Tompson—22.
John G. Gooch,		

Mr. Riley moved the following as a substitute for the amendment of Mr. Duvall, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of associate judge of the county court, provided for in the 29th section of the 4th article of the constitution, be and the same is hereby abolished.

§ 2. There is hereby established in each county in this commonwealth, a county court, consisting of one presiding judge, to be elected by the people, who shall have the same powers and jurisdiction now vested in the existing county courts in this commonwealth, not otherwise provided for—except at the courts of levies and claims, which shall be held at the October or November term each year, when it shall be the duty of all the justices of the peace to attend, and with the presiding judge compose said court; and no appropriation of any money in the county treasury, exceeding the sum of fifty dollars, shall be made at any term of said court, without summoning all the justices of said county, and the attendance and concurrence of a majority thereof.

§ 3. It shall be the duty of all the justices of the peace of the several counties, to attend at their court houses on the first Monday in the month next after the election of the presiding judge; and if all are not present, those who attend shall compel the attendance of the absentees by summons and attachment, if necessary; and the justices, when assembled, shall fix the amount of the salary of the presiding judge of the county court, to be paid annually out of the county treasury, and make an entry on the record books of said court of the amount of the salary, and the times of the payment thereof.

§ 4. The county court clerk, provided for in the 1st section of the 6th article of the constitution, shall be clerk of the court hereby organized, and his duties and emoluments shall be the same as those of the clerks of the existing county courts; and the offices, records, books, papers, and fixtures of the several county courts of this commonwealth, shall

be, by the present incumbents, delivered over to the clerks of the courts organized by this act, and be by them kept and controlled, as by the clerks of the existing county courts.

§ 5. The justices of the peace shall receive, out of the county treasury, one dollar per day for each day's attendance on the county court, when it is made their duty by law to attend; and all laws making to sheriffs and clerks of county courts any allowance out of the county levy, for *ex-officio* services, are hereby repealed.

§ 6. In case of the absence of any presiding judge at any court of levy or claims, the justices of the peace of the county shall compose the court; but no levy shall be laid or claim allowed against the county, without the concurrence of a majority of all the justices of the county.

§ 7. The times of holding the several county courts of this commonwealth, shall be the same as now fixed by law; but courts may adjourn from day to day, when the business on hand requires it.

§ 8. That at the first term of the county court, held by the judge elected in May next, said judge shall appoint one commissioner, who shall have all the powers conferred, and perform all the duties imposed on the commissioners authorized to be appointed by said court, by the act regulating the mode of settling the accounts of executors, administrators, and guardians, approved February 24, 1834, and said commissioner shall continue in office until the setting of the court of claims and appropriations; next thereafter the said court, consisting of the presiding judge and justices of the peace, shall appoint a commissioner, to continue in office for one year, and until his successor shall be appointed and qualified; and any vacancy occurring in said office by death, resignation, removal, or otherwise, the county court shall fill by an appointment, to continue until the next meeting of such court of claims and appropriations.

§ 9. This act shall take effect on the first day of June next.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Riley and Payne, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Thomas Y. Payne,
James M. Alexander,	William M. Gray,	Julian N. Phelps,
James B. Allen,	Norvin Green,	Edward C. Purdy,
John B. Arnold,	William M. Green,	Thomas W. Riley,
R. T. Baker,	Thomas S. Grundy,	John Rodman,
William Beeler,	George M. Hampton,	C. C. Rogers,
William S. Black,	Samuel Hanson,	Joseph W. Rowlett,
Carlo B. Brittain,	Randall G. Hays,	John L. Sallee,
George I. Brown,	Lysander Hord,	John Shawhan,
George P. Brown,	Hiram Klette,	Basil G. Smith,
John B. Bruner,	Daniel Landes,	Albert G. Talbott,
George T. Campbell,	Preston H. Leslie,	Ambrose H. Talbott,
Henry R. D. Coleman,	Andrew S. Linn,	Jesse S. Taylor,
Winston J. Davie,	Caleb W. Logan,	William T. Terrill,
Lucius Desha,	William C. Marshall,	Thomas Todd,

Edward F. Dulin,	Hiram McElroy,	John Tompson,
Robert English,	John S. McFarland,	Thomas W. Varnon,
Richard H. Field,	James P. Metcalfe,	G. W. Williams, of H.
Bernard H. Garrett,	Morton P. Moore,	Marcus L. Williams,
Squire Gatliff,	George H. Morrow,	James T. Woodward,
Samuel L. Geiger,	Joel Murphy,	Edmund Wooldridge—65.
John G. Gooch,	Benjamin L. Owens,	

Those who voted in the negative, were

Robert A. Athey,	William H. Gardner,	George W. Mansfield,
William Bradley,	William H. Grainger,	Strother D. Mitchell,
William H. Calvert,	P. B. Hawkins,	William Preston,
Alexander P. Churchill,	George W. Kavanaugh,	Burwell C. Ritter,
Asbury Dawson,	Samuel A. Kingman,	George W. Silvertooth,
Alvin Duvall,	Joseph H. Lewis,	William T. Ward—19.
Edgar B. Gaither,		

Mr. Rogers moved the following as a substitute for the amendment of Mr. Riley:

§ 1. That a county court is hereby established, to consist of a presiding judge and two associate judges.

§ 2. That said county court shall have the same jurisdiction, in all respects, which the existing county courts now have by law.

§ 3. That it shall be the duty of the justices of the peace in the several counties, to sit with the judges of said court, at the October term in each year, and assist the said court in laying and directing the collection of the county levy, and allowing the claims against the county, at which time a majority of said judges and justices shall constitute a court for the transaction of business.

§ 4. That for all other purposes, said court shall be composed of the presiding judge and associate judges, any two of whom shall constitute a court for the transaction of business.

§ 5. That the presiding judge and associate judges shall each receive three dollars per day, for each day they are engaged in holding said court; and each justice of the peace shall receive one dollar and fifty cents for each day they may set upon the bench in said court, payable out of the county levy, to be allowed by the court of claims.

§ 6. The records of the existing county courts, shall be held and regarded as the records of the courts hereby organized in the counties, respectively, and all the records of the county clerks' office, and all the official papers and records pertaining thereto, in the several counties, shall be kept, held, and regarded as the official papers and records of the clerks' office of the county courts hereby organized in the same counties, and said records and papers, or copies thereof, properly certified by the clerks of the several courts hereby organized, shall be record evidence in all courts in this commonwealth, in the same manner and to the same extent that such papers and records now have, when properly certified by the proper officer. Said papers and records shall be kept in the same manner and by the same officers now prescribed by law.

§ 7. The clerks of the respective courts hereby organized, and the sheriffs of the several counties, shall discharge the same official duties in their respective counties, which the same officers now do under existing laws.

Mr. Kavanaugh moved to lay said substitute on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and A. H. Talbott, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	John G. Gooch,	Julian N. Phelps,
Wm. Beeler,	William M. Gray,	Wm. Preston,
William S. Black,	Samuel Hanson,	Edward C. Purdy,
Wm. Bradley,	P. B. Hawkins,	Thomas W. Riley,
Carlo B. Brittain,	George W. Kavanaugh,	John Rodman,
George I. Brown,	Samuel A. Kingman,	Joseph W. Rowlett,
John B. Bruner,	Hiram Klette,	John L. Sallee,
George T. Campbell,	Joseph H. Lewis,	George W. Silvertooth,
Alexander P. Churchill,	George W. Mansfield,	Basil G. Smith,
Winston J. Davie,	Hiram McElroy,	Jesse S. Taylor,
Asbury Dawson,	John S. McFarland,	Thomas W. Varnon,
Alvin Duvall,	Morton P. Moore,	William T. Ward,
Richard H. Field,	George H. Morrow	G. W. Williams, of H.
William H. Gardner,	Joel Murphy,	Marcus L. Williams,
Squire Gatliff,	Benjamin L. Owens,	Edmund Wooldridge—46.
Cyrenius W. Gilmore,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Andrew S. Linn,
James M. Alexander,	Samuel L. Geiger,	James P. Metcalfe,
James B. Allen,	Alfred F. Graham,	Strother D. Mitchell,
Robert A. Athey,	Wm. H. Grainger,	Thomas Y. Payne,
R. T. Baker,	Norvin Green,	Burwell C. Ritter,
George P. Brown,	Wm. M. Green,	C. C. Rogers,
William H. Calvert,	Thomas S. Grundy,	John Shawhan,
Henry R. D. Coleman,	Randall G. Hays,	Albert G. Talbott,
Lucius Desha,	Lysander Hord,	Ambrose H. Talbott,
Edward F. Dulin,	Samuel B. Jesup,	William T. Terrill,
Robert English,	Daniel Landes,	John Tompson,
Edgar B. Gaither,	Preston H. Leslie,	James T. Woodward—36.

Mr. Leslie moved to lay the substitute proposed by Mr. Riley on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Taylor, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
John B. Arnold,	Norvin Green,	Burwell C. Ritter,
Robert A. Athey,	William M. Green,	John Rodman,
Carlo B. Brittain,	P. B. Hawkins,	C. C. Rogers,
George I. Brown,	Lysander Hord,	John L. Sallee,

John B. Bruner,	Samuel B. Jesup,	George W. Silvertooth,
George R. Burgess,	Daniel Landes,	Basil G. Smith,
William H. Calvert,	Preston H. Leslie,	Ambrose H. Talbott,
Alexander P. Churchill,	Joseph H. Lewis,	Thomas Todd,
Henry R. D. Coleman,	Andrew S. Linn,	William T. Ward,
Winston J. Davie,	George W. Mansfield,	Marcus L. Williams,
Asbury Dawson,	Hiram McElroy,	James T. Woodward,
Edgar B. Gaither,	John S. McFarland,	Edmund Wooldridge—41.
Wm. H. Gardner,	Strother D. Mitchell,	

Those who voted in the negative, were

James M. Alexander,	Squire Gatliff,	Benjamin L. Owens,
James B. Allen,	John G. Gooch,	Thomas Y. Payne,
R. T. Baker,	Alfred F. Graham,	Julian N. Phelps,
William Beeler,	William M. Gray,	Wm. Preston,
William S. Black,	Thomas S. Grundy,	Edward C. Purdy,
William Bradley,	Samuel Hanson,	Thomas W. Riley,
George P. Brown,	Randall G. Hays,	Joseph W. Rowlett,
George T. Campbell,	George W. Kavanaugh,	John Shawhan,
Lucius Desha,	Samuel A. Kingman,	Albert G. Talbott,
Edward F. Dulin,	Caleb W. Logan,	Jesse S. Taylor,
Alvin Duvall,	Wm. C. Marshall,	William T. Terrill,
Robert English,	James P. Metcalfe,	John Tompson,
Richard H. Field,	George H. Morrow,	Thomas W. Varnon,
Bernard H. Garrett,	Joel Murphy,	G. W. Williams, of H—42.

Mr. McFarland moved to amend the amendment of Mr. Riley, by adding the following, viz:

§ 8. That said county courts shall have concurrent jurisdiction with the circuit courts in settling and distributing assets of insolvent estates, to be governed by the same laws now regulating the same: *Provided*, that no master commissioner shall be appointed by said court, unless from the complication of the estate, the presiding judge deems it indispensable to a correct understanding and equitable distribution, subject to appeal to the circuit court, as in other cases: *Provided*, that in all appeals from the judgment of the county court, the clerk shall transmit the original papers, together with a transcript of the orders of the county court, made thereupon.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McFarland and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Benjamin L. Owens,
James B. Allen,	William H. Grainger,	Thomas Y. Payne,
R. T. Baker,	William M. Gray,	Julian N. Phelps,
Wm. Beeler,	Norvin Green,	Edward C. Purdy,
William S. Black,	Thomas S. Grundy,	Thomas W. Riley,
William Bradley,	Samuel Hanson,	Burwell C. Ritter,
Carlo B. Brittain,	P. B. Hawkins,	John Rodman,

George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—73.

Those who voted in the negative, were

John B. Arnold,
Robert A. Athey,
Wm. H. Calvert,
Lucius Desha,
Edward F. Dulin,
Richard H. Field,
Alfred F. Graham,
William M. Green,
Samuel A. Kingman,
Preston H. Leslie,
Caleb W. Logan,
William Preston—12.

Mr. Williams, of Hancock, moved to amend the amendment of Mr. Riley, by adding to the 3d section, the following, viz:

Which compensation shall not be less than the rate of 4 cents per annum for each voter in the county, nor shall it exceed the rate of 15 cents per annum for each voter in the county: *Provided*, that when any county may not contain as many as 1,000 voters, the compensation shall not be less than than $40 per annum, nor more than $150 per annum.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Green and McFarland, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
William Bradley,
Carlo B. Brittain,
Wm. H. Calvert,
Alexander P. Churchill,
Alvin Duvall,
Bernard H. Garrett,
William H. Grainger,
Randall G. Hays,
George W. Kavanaugh,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
John S. McFarland,
William Preston,
Burwell C. Ritter,
John Rodman,
Basil G. Smith,
Thomas Todd,
Thomas W. Varnon,
G. W. Williams, of H.
James T. Woodward—25.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
R. T. Baker,
William Beeler,
William S. Black,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,

George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Samuel L. Geiger,
Wm. M. Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Andrew S. Linn,
George W. Mansfield,
Wm. C. Marshall,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
William T. Ward,
Edmund Wooldridge—61.

Mr. Dulin moved to amend the amendment of Mr. Riley, by adding the sixth section of the amendment of Mr. Duvall, and the following, viz:

The county court shall (when composed of the judges of the county court) have concurrent jurisdiction with justices of the peace, in all causes cognizable before them, both in law and equity; and concurrent jurisdiction with the circuit courts of this commonwealth, in all causes at law upon contract, where the amount claimed does not exceed one hundred dollars; and in all appeals from the decisions of justices of the peace. The clerk shall be entitled to charge and collect the same fees that are charged and received by justices of the peace and clerks of the circuit court for like services, one-half of which he shall retain for his services, and the other half he shall, when collected, pay over to the county court judge for his services.

Appeals, or writs of error, shall be allowed from the decisions of the county court, in all causes cognizable by it under this section, to the court of appeals, under the same rules and regulations appeals and writs of error are allowed from the decisions of the circuit court.

The forms of proceedings and the rules of pleading in the county court, in all such causes cognizable as aforesaid, shall be the same as are before justices of the peace.

The county court shall be held for the trial of the aforesaid causes at the times now pointed out by law in the months of February, June, September, and December.

The county court judge, for compensation for his services in attending to county matters, shall be allowed ten cents for every voter in his county, to be paid out of the connty levy.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
Samuel Hanson,
George W. Kavanaugh,
Hiram Klette,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John Shawhan,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
Marcus L. Williams,
James T. Woodward—50.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
John B. Arnold,
Robert A. Athey,
William H. Calvert,
Edward F. Dulin,
Cyrenius W. Gilmore,
Alfred F. Graham,
Norvin Green,
William M. Green,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Strother D. Mitchell,
Morton P. Moore,
William B. Murphy,
William Preston,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—34.

At 6 o'clock, P. M., Mr. Wooldridge moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
George I. Brown,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Wm. H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
P. B. Hawkins,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
Thomas W. Varnon,

Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Samuel Hanson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William B. Murphy,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—43.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
R. T. Baker,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
William H. Grainger,
Thomas S. Grundy,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Andrew S. Linn,
Daniel Matthewson,
Hiram McElroy,
Morton P. Moore,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Albert G. Talbott,
John Tompson,
Marcus L. Williams—42.

TUESDAY, MARCH 4, 1851.

1. Mr. Athey presented the petition of the President and Directors of the Lexington and Frankfort Railroad, praying an amendment of their charter.

2. Mr. Woodward presented the petition of Thomas Strong, praying additional compensation for conveying a lunatic to the Asylum.

3. Mr. Tompson presented the petition of citizens of Lewis county, praying a change in the place of voting in a Justices' District in said county.

4. Mr. Linn presented the petition of citizens of Grant county, praying that the place of voting in a Justices' District, in said county, may be fixed.

5. Mr. Payne presented the petition of the citizens of Mayslick, praying an amendment to their charter.

6. Also, the petition of W. W. Pike, and others, members of the Neptune Fire Engine Company, praying an act of incorporation.

Which were received, the reading dispensed with, and referred—the 1st, 5th, and 6th, to the committee on the Judiciary; the 2d to the committee on Claims; the 3d to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; and the 4th to the committee on Privileges and Elections.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act allowing additional Justices' and Constables' Districts in Hardin county.

That they had passed bills of the following titles, viz:

An act providing a mode of forfeiture of the charter of the Logan, Todd, and Christian Turnpike Road Company, and the transfer of the interest of the State therein.

An act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such Railroad Companies as may pass through said counties.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to reduce into one the several acts concerning the town of Portland, approved March 2, 1850.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets in Portland to be closed.

An act to amend the charter of the Clear Creek Turnpike Road Company, of Shelby county.

An act to incorporate Pikeville Division, No. 79, Sons of Temperance.

An act to incorporate Blandville Lodge, No. 142, of Free and Accepted Masons.

An act to authorize the sale of the Parsonage of the Glasgow Circuit of the Methodist Episcopal Church, South.

An act for the benefit of the Sheriff of Boone county.

An act to incorporate the Peacock Coal Mining Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred the amendment proposed by the Senate, to a bill from this House, entitled, an act to authorize the County Court of Shelby to subscribe stock in roads, reported the same without amendment.

Resolved, That this House concur in said amendment.

Mr. Hanson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Malachi A. Pickering, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so said bill was disagreed to.

Mr. McFarland, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz:

1. An act for the benefit of the Sheriff of Lawrence county.

2. An act to amend the charter of the town of Hardinsburg.

Reported the first without, and the second with an amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the Lexington and Danville Railroad Company.

An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

Reported the same, with amendments to each, which were concurred in.

Ordered, That said bills be read a third time, as amended.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend an act to incorporate the Shelbyville and Taylorsville Turnpike Road Company.

An act in relation to the Internal Improvement Fund of McCracken county.

An act for the benefit of the Danville and Hustonville Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and the titles thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, reported a bill for the benefit of Aaron Dawson, Edward McClure, and John L. McCann, which was read the first time, and ordered to be read a second time.

On motion of Mr. Wooldridge,

Ordered, That said bill have its second reading on to-morrow at 10 o'clock, A. M.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—A bill extending the powers of the Mayor of the city of Maysville.

By same—A bill to repeal an act to establish a Police Court in the the town of Mount Vernon.

By same—A bill to incorporate Grant Lodge, No. 85, of Free and Accepted Masons.

By the committee on Ways and Means—A bill for the benefit of the Sheriffs of Lewis and Mason counties.

By same—A bill to authorize the Trustees of the town of Owenton to convey town lots.

By same—A bill to incorporate Owen Division, No. 220, Sons of Temperance, in Owenton, in Owen county.

By the committee on Internal Improvement—A bill to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Company.

By same—A bill to give additional Commissioners to the Mountsterling and Jeffersonville Turnpike Road Company.

By same—A bill to amend the charter of the North Middletown, Mount Ida, and Mountsterling Turnpike Road Company.

By same—A bill to incorporate the Owenton and Scott County Line Turnpike Road Company.

By same—A bill to incorporate the Stanford and Houstonville Turnpike Road Company.

By same—A bill to authorize the people of Logan county to tax themselves to assist in making the Louisville and Nashville Railroad, and other Internal Improvements.

By same—A bill to incorporate the Versailles Joint Stock Building Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, reported a bill to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad, approved March 4, 1850, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

On motion of Mr. Lewis,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

Leave was given to bring in the following bills, viz :

On motion of Mr. G. T. Campbell—1. A bill to authorize the County Court of Carroll to change that part of the State road running from Ghent to Eagle Creek.

On motion of Mr. R. H. Campbell—2. A bill to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

On motion of Mr. Hampton—3. A bill to have the dividing lines between the counties of Bath and Bourbon, Nicholas and Montgomery, resurveyed and defined.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; Messrs. R. H. Cambell, Rodman, and Kingman the 2d, and Messrs. Hampton, Gray, and Black the 3d.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined an enrolled bill from this house, entitled, an act allowing additional Justices' and Constables' Districts in Hardin county, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The House again resumed the consideration of the bill from the Senate, entitled, an act to organize County Courts in the several counties, and the substitute of Mr. Riley.

Mr. Desha moved to amend the substitute of Mr. Riley, in the 6th section, by striking out the following words, viz :

"In case of the absence of any presiding judge at any court of levy or claims, the justices of the peace of the county shall compose the court."

Mr. Moore moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was first taken on the amendment of Mr. Desha to the substitute of Mr. Riley, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Desha and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	George H. Morrow,
James M. Alexander,	William H. Gardner,	Joel Murphy,
James B. Allen,	Cyrenius W. Gilmore,	Julian N. Phelps,
Robert A. Athey,	John G. Gooch,	C. C. Rogers,
R. T. Baker,	Alfred F. Graham,	Joseph W. Rowlett,
William S. Black,	Norvin Green,	John Shawhan,
William Bradley,	George M. Hampton,	George W. Silvertooth,
John B. Bruner,	P. B. Hawkins,	Basil G. Smith,
Alexander P. Churchill,	Randall G. Hays,	Ambrose H. Talbott,
Henry R. D. Coleman,	Lysander Hord,	Jesse S. Taylor,
John W. Cook,	Daniel Landes,	Thomas Todd,
Winston J. Davie,	Peter Lashbrooke,	John Tompson,
Asbury Dawson,	Andrew S. Linn,	Thomas W. Varnon,
Lucius Desha,	George W. Mansfield,	William T. Ward,
Alvin Duvall,	Daniel Matthewson,	Marcus L. Williams—46.
Richard H. Field,		

Those who voted in the negative, were

John B. Arnold,	William M. Gray,	Morton P. Moore,
William Beeler,	William M. Green,	Benjamin L. Owens,
Carlo B. Brittain,	Thomas S. Grundy,	Joel Owsley,
George I. Brown,	Samuel Hanson,	Thomas Y. Payne,
George P. Brown,	Stilwell Heady,	William Preston,
George R. Burgess,	Samuel B. Jesup,	Edward C. Purdy,
William H. Calvert,	George W. Kavanaugh,	Thomas W. Riley,
Robert H. Campbell,	Samuel A. Kingman,	Burwell C. Ritter,
George T. Campbell,	Hiram Klette,	John L. Sallee,
Joseph Dougherty,	Preston H. Leslie,	Albert G. Talbott,
Edward F. Dulin,	Joseph H. Lewis,	William T. Terrill,
Robert English,	Hiram McElroy,	G. W. Williams, of H.
Squire Gatliff,	John S. McFarland,	James T. Woodward,
Samuel L. Geiger,	Strother D. Mitchell,	Edmund Wooldridge—42.

The question was then taken on the adoption of the substitute proposed by Mr. Riley, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Robert English,	George H. Morrow,
James B. Allen,	Richard H. Field,	Joel Murphy,
R. T. Baker,	Samuel L. Geiger,	Benjamin L. Owens,
William Beeler,	John G. Gooch,	Thomas Y. Payne,
William S. Black,	Alfred F. Graham,	Julian N. Phelps,
William Bradley,	Wm. H. Grainger,	William Preston,
George P. Brown,	Wm. M. Gray,	Edward C. Purdy,
George R. Burgess,	Thomas S. Grundy,	Thomas W. Riley,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel Hanson,	John Shawhan,

Henry R. D. Coleman,	Stilwell Heady,	Jesse S. Taylor,
John W. Cook,	George W. Kavanaugh,	Albert G. Talbott,
Lucius Desha,	Hiram Klette,	William T. Terrill,
Edward F. Dulin,	Peter Lashbrooke,	John Tompson,
Alvin Duvall,	William C. Marshall,	Thomas W. Varnon—45.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Morton P. Moore,
John B. Arnold,	William M. Green,	Wm. B. Murphy,
Robert A. Athey,	P. B. Hawkins,	Joel Owsley,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John Rodman,
John B. Bruner,	Samuel B. Jesup,	C. C. Rogers,
William H. Calvert,	Samuel A. Kingman,	John L. Sallee,
Robert H. Campbell,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Preston H. Leslie,	Basil G. Smith,
Asbury Dawson,	Joseph H. Lewis,	Ambrose H. Talbott,
Joseph Dougherty,	Andrew S. Linn,	Thomas Todd,
Edgar B. Gaither,	George W. Mansfield,	William T. Ward,
William H. Gardner,	Daniel Matthewson,	G. W. Williams, of H.
Bernard H. Garrett,	Hiram McElroy,	Marcus L. Williams,
Squire Gatliff,	John S. McFarland,	James T. Woodward,
Cyrenius W. Gilmore,	Strother D. Mitchell,	Edmund Wooldridge—48.

The question was then taken on reading said bill a third time, and it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Payne and Rodman, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Green,	William B. Murphy,
Robert A. Athey,	P. B. Hawkins,	Joel Owsley,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John Rodman,
John B. Bruner,	Samuel B. Jesup,	C. C. Rogers,
William H. Calvert,	Daniel Landes,	John L. Sallee,
Robert H. Campbell,	Preston H. Leslie,	Basil G. Smith,
Winston J. Davie,	Joseph H. Lewis,	Ambrose H. Talbott,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	George W. Mansfield,	John Tompson,
Edgar B. Gaither,	Daniel Matthewson,	William T. Ward,
Wm. H. Gardner,	Hiram McElroy,	G. W. Williams, of H.
Squire Gatliff,	John S. McFarland,	Marcus L. Williams,
Cyrenius W. Gilmore,	Strother D. Mitchell,	James T. Woodward,
Norvin Green,	Morton P. Moore,	Edmund Wooldridge—45.

Those who voted in the negative, were

James M. Alexander,	Robert English,	William C. Marshall,
James B. Allen,	Richard H. Field,	George H. Morrow,
John B. Arnold,	Bernard H. Garrett,	Joel Murphy,
R. T. Baker,	Samuel L. Geiger,	Benjamin L. Owens,
William Beeler,	John G. Gooch,	Thomas Y. Payne,
Wm. S. Black,	Alfred F. Graham,	Julian N. Phelps,

Wm. Bradley,	William H. Grainger,	William Preston,
George P. Brown,	William M. Gray,	Edward C. Purdy,
George R. Burgess,	Thomas S. Grundy,	Thomas W. Riley,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel Hanson,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	George W. Silvertooth,
John W. Cook,	George W. Kavanaugh,	Albert G. Talbott,
Lucius Desha,	Samuel A. Kingman,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	Wm. T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	Thomas W. Varnon—48.

Mr. Silvertooth moved a reconsideration of the vote disagreeing to said bill.

Mr. Hanson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Leslie, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Richard H. Field,	George H. Morrow
James B. Allen,	Bernard H. Garrett,	Joel Murphy,
R. T. Baker,	Samuel L. Geiger,	Benjamin L. Owens,
Wm. Beeler,	John G. Gooch,	Thomas Y. Payne,
William S. Black,	Alfred F. Graham,	Julian N. Phelps,
Wm. Bradley,	Wm. H. Grainger,	Wm. Preston,
George P. Brown,	William M. Gray,	Edward C. Purdy,
George R. Burgess,	Thomas S. Grundy,	Thomas W. Riley,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Alexander P. Churchill,	Samuel Hanson,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	Albert G. Talbott,
John W. Cook,	George W. Kavanaugh,	Jesse S. Taylor,
Lucius Desha,	Hiram Klette,	William T. Terrill,
Edward F. Dulin,	Peter Lashbrooke,	John Tompson,
Alvin Duvall,	William C. Marshall,	Thomas W. Varnon—46.
Robert English,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Wm. M. Green,	William B. Murphy,
John B. Arnold,	P. B. Hawkins,	Joel Owsley,
Robert A. Athey,	Randall G. Hays,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	John L. Sallee,
William H. Calvert,	Daniel Landes,	George W. Silvertooth,
Robert H. Campbell,	Preston H. Leslie,	Basil G. Smith,
Winston J. Davie,	Joseph H. Lewis,	Ambrose H. Talbott,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	George W. Mansfield,	William T. Ward,
Edgar B. Gaither,	Daniel Matthewson,	G. W. Williams, of H.
William H. Gardner,	Hiram McElroy,	Marcus L. Williams,
Squire Gatliff,	John S. McFarland,	James T. Woodward,
Cyrenius W. Gilmore,	Strother D. Mitchell,	Edmund Wooldridge—47.
Norvin Green,	Morton P. Moore,	

And the question was then taken on reconsidering said vote, and it was decided in the affirmative.

Mr. McElroy then moved to reconsider the vote rejecting the substitute of Mr. Riley.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
George P. Brown,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Stilwell Heady,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Wm. C. Marshall,
Hiram McElroy,
John S. McFarland,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Julian N. Phelps,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John Shawhan,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon—55.

Those who voted in the negative, were

John B. Arnold,
Robert A. Athey,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Winston J. Davie,
Joseph Dougherty,
Squire Gatliff,
Cyrenius W. Gilmore,
Norvin Green,
William M. Green,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Strother D. Mitchell,
Morton P. Moore,
William B. Murphy,
Joel Owsley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—38.

Mr. W. M. Green moved to amend the bill from the Senate by striking out the 7th section, and inserting in lieu thereof, the following, viz:

"That hereafter the county judge shall appoint for one year, one commissioner, to settle the accounts of executors, administrators, and guardians, who shall discharge the duties prescribed by law; and the party or parties employing said commissioner, shall pay him the sum of one dollar and fifty cents for each settlement, unless the same shall occupy more than one day; and if it should, then one dollar and fifty cents per day."

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Joel Murphy,
James M. Alexander,	Samuel L. Geiger,	Benjamin L. Owens,
James B. Allen,	Cyrenius W. Gilmore,	Joel Owsley,
John B. Arnold,	John G. Gooch,	Thomas Y. Payne,
R. T. Baker,	Alfred F. Graham,	Julian N. Phelps,
William Beeler,	William H. Grainger,	William Preston,
William S. Black,	Norvin Green,	Edward C. Purdy,
William Bradley,	Wm. M. Green,	Thomas W. Riley,
Carlo B. Brittain,	Thomas S. Grundy,	Burwell C. Ritter,
George P. Brown,	George M. Hampton,	John Rodman,
John B. Bruner,	Samuel Hanson,	Joseph W. Rowlett,
George R. Burgess,	Randall G. Hays,	John L. Sallee,
George T. Campbell,	Stilwell Heady,	Albert G. Talbott,
Alexander P. Churchill,	Lysander Hord,	Ambrose H. Talbott,
Henry R. D. Coleman,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Peter Lashbrooke,	Thomas Todd,
Winston J. Davie,	Andrew S. Linn,	John Tompson,
Joseph Dougherty,	Wm. C. Marshall,	Thomas W. Varnon,
Edward F. Dulin,	Daniel Matthewson,	William T. Ward,
Alvin Duvall,	Hiram McElroy,	G. W. Williams, of H.
Robert English,	John S. McFarland,	Marcus L. Williams,
Richard H. Field,	George H. Morrow,	James T. Woodward—67.
Edgar B. Gaither,		

Those who voted in the negative, were

Robert A. Athey,	Wm. M. Gray,	Strother D. Mitchell,
George I. Brown,	P. B. Hawkins,	William B. Murphy,
Robert H. Campbell,	Daniel Landes,	C. C. Rogers,
Asbury Dawson,	Preston H. Leslie,	John Shawhan,
Lucius Desha,	Joseph H. Lewis,	George W. Silvertooth,
William H. Gardner,	George W. Mansfield,	Basil G. Smith—18.

Mr. Wooldridge moved a reconsideration of the vote of Friday last, adopting the amendment of Mr. Purdy to the proviso of the 6th section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Purdy and Hays, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	Joel Owsley,
James B. Allen,	William M. Gray,	Thomas W. Riley,
John B. Arnold,	Norvin Green,	Burwell C. Ritter,
William Beeler,	Samuel Hanson,	John Rodman,
George P. Brown,	Randall G. Hays,	Basil G. Smith,
George R. Burgess,	Stilwell Heady,	Albert G. Talbott,

William H. Calvert, George T. Campbell, Henry R. D. Coleman, John W. Cook, Robert English, Richard H. Field, Cyrenius W. Gilmore, Preston H. Leslie, Joseph H. Lewis, William C. Marshall, Daniel Matthewson, Hiram McElroy, John S. McFarland, Jesse S. Taylor, Thomas Todd, John Tompson, Marcus L. Williams, James T. Woodward, Edmund Wooldridge—37.

Those who voted in the negative, were

Robert A. Athey, R. T. Baker, William S. Black, William Bradley, George I. Brown, John B. Bruner, Robert H. Campbell, Alexander P. Churchill, Asbury Dawson, Lucius Desha, Joseph Dougherty, Edward F. Dulin, Alvin Duvall, Edgar B. Gaither, William H. Gardner, Bernard H. Garrett, Squire Gatliff, Samuel L. Geiger, John G. Gooch, Alfred F. Graham, William M. Green, Thomas S. Grundy, George M. Hampton, P. B. Hawkins, Lysander Hord, George W. Kavanaugh, Hiram Klette, Daniel Landes, Peter Lashbrooke, George W. Mansfield, Strother D. Mitchell, George H. Morrow, Joel Murphy, Benjamin L. Owens, Thomas Y. Payne, Julian N. Phelps, Edward C. Purdy, C. C. Rogers, Joseph W. Rowlett, John L. Sallee, John Shawhan, George W. Silvertooth, Ambrose H. Talbott, Thomas W. Varnon, William T. Ward, G. W. Williams, of H—46.

At twenty minutes after 5 o'clock, P. M., Mr. Garrett moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davie and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) John B. Arnold, Robert A. Athey, R. T. Baker, Wm. Beeler, George P. Brown, George R. Burgess, Wm. H. Calvert, Robert H. Campbell, Lucius Desha, Alvin Duvall, Robert English, Richard H. Field, Bernard H. Garrett, Samuel L. Geiger, Cyrenius W. Gilmore, John G. Gooch, Alfred F. Graham, William H. Grainger, William M. Gray, Thomas S. Grundy, Samuel Hanson, P. B. Hawkins, Stilwell Heady, Lysander Hord, George W. Kavanaugh, Hiram Klette, Peter Lashbrooke, Preston H. Leslie, Joseph H. Lewis, William C. Marshall, John S. McFarland, Strother D. Mitchell, Joel Murphy, Benjamin L. Owens, Thomas Y. Payne, William Preston, Edward C. Purdy, Thomas W. Riley, Basil G. Smith, Jesse S. Taylor, Thomas Todd, Thomas W. Varnon, G. W. Williams, of H. James T. Woodward—45.

Those who voted in the negative, were

James B. Allen, William S. Black, William Bradley, William H. Gardner, Squire Gatliff, William M. Green, Burwell C. Ritter, John Rodman, C. C. Rogers,

Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Edgar B. Gaither,
George M. Hampton,
Randall G. Hays,
Daniel Landes,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Owsley,
Julian N. Phelps,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
John Tompson,
William T. Ward,
Marcus L. Williams,
Edmund Wooldridge—39.

WEDNESDAY, MARCH 5, 1851.

1. Mr. Williams, of Hancock, presented the petitition of sundry citizens of Hancock county, praying an act of incorporation of Hancock Lodge, No. 115.

2. Mr. Purdy presented the petition of sundry citizens of Marion county, praying a change in a Justices' District in said county.

3. Mr. J. M. Alexander presented the petition of sundry citizens of Mercer county, praying that a line of a Justices' District in said county, may be changed.

4. Mr. G. P. Brown presented the petition of the Sheriff of Rockcastle county, praying further time to return his delinquent list.

5. Mr. McElroy presented the petition of citizens of Raleigh, praying an act of incorporation.

6. Mr. Arnold presented the petition of E. L. D. Storms, praying a change in a Justices' District in Garrard county.

7. Mr. Geiger presented the petition of sundry citizens of Jefferson county, praying that persons be prevented from capturing fish in Floyd's Fork, except by hook and line.

Which were received, the reading dispensed with, and referred—the 1st, 4th, 5th, and 7th, to the committee on the Judiciary; the 2d and 3d to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; and the 6th to the committee on County Courts.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.

An act to amend the charter of the city of Augusta.

Mr. Baker, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act authorizing the construction of a mill dam across Pond river.

An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

Reported the same, with amendments, which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Gatliff,

Leave was given to bring in a bill for the benefit of the Sheriff of Whitley county.

Ordered, That the committee on Ways and Means prepare and bring in the same.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend an act, entitled, an act to charter the Bowlinggreen and Tennessee Railroad Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act allowing an additional Magistrates' and Constables' District in Scott county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

An engrossed bill, entitled, an act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad Company, approved March 4, 1850, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act further to provide

for the collection of tolls on Kentucky, Green, and Barren rivers, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Mr. Arnold moved to amend said bill, by adding thereto the following engrossed clause, by way of ryder:

"Any person starting above slackwater with a flat-boat, raft, or other craft, laden with produce, shall be exempt from the payment of toll by taking the necessary oath."

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dawson and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Joel Murphy,
John B. Arnold,	George M. Hampton,	Benjamin L. Owens,
R. T. Baker,	Randall G. Hays,	Joel Owsley,
William S. Black,	George W. Kavanaugh,	Burwell C. Ritter,
George P. Brown,	Preston H. Leslie,	C. C. Rogers,
Wm. H. Calvert,	Joseph H. Lewis,	Basil G. Smith,
Edgar B. Gaither,	George W. Mansfield,	William T. Ward,
Wm. H. Gardner,	Hiram McElroy,	James T. Woodward—26.
Cyrenius W. Gilmore,	Morton P. Moore,	

Those who voted in the negative, were

James M. Alexander,	William M. Gray,	William B. Murphy,
James B. Allen,	Norvin Green,	Thomas Y. Payne,
Wm. Beeler,	Thomas S. Grundy,	Julian N. Phelps,
William Bradley,	Samuel Hanson,	Edward C. Purdy,
George I. Brown,	P. B. Hawkins,	Joseph W. Rowlett,
John B. Bruner,	Stilwell Heady,	John L. Sallee,
George T. Campbell,	Lysander Hord,	George W. Silvertooth,
Henry R. D. Coleman,	Samuel B. Jesup,	Ambrose H. Talbott,
Winston J. Davie,	Daniel Landes,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	William T. Terrill,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	William C. Marshall,	John Tompson,
Edward F. Dulin,	Daniel Matthewson,	Thomas W. Varnon,
Robert English,	James P. Metcalfe,	George W. Williams, of B.
Samuel L. Geiger,	Strother D. Mitchell,	G. W. Williams, of H—46.
John G. Gooch,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

A bill for the benefit of Aaron Dawson, Edward McClure, and John L. McCann, was read the second time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Aaron Dawson, of Larue county, Edward McClure, of Grant county, and John L. McCann, of Henry county, be each allowed the privilege of trading in goods, wares, and merchandise, within this state, without incurring the penalty imposed by law for peddlers without license: *Provided*, that they shall not exercise the privilege herein granted for the benefit of any other person or persons whatsoever, either directly or indirectly; *and, provided further*, that they shall not be allowed to traffic in ardent spirits, and shall be subject to all penalties imposed by law for unlawfully dealing with slaves.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Geiger and Coleman, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Strother D. Mitchell,
James M. Alexander,	John G. Gooch,	Morton P. Moore,
William W. Alexander,	Alfred F. Graham,	Joel Murphy,
James B. Allen,	William M. Gray,	Benjamin L. Owens,
John B. Arnold,	Norvin Green,	Julian N. Phelps,
Robert A. Athey,	Thomas S. Grundy,	Edward C. Purdy,
R. T. Baker,	George M. Hampton,	Thomas W. Riley,
William Beeler,	P. B. Hawkins,	John Rodman,
William S. Black,	Stilwell Heady,	C. C. Rogers,
William Bradley,	Lysander Hord,	Joseph W. Rowlett,
George I. Brown,	Samuel B. Jesup,	John Shawhan,
George P. Brown,	George W. Kavanaugh,	George W. Silvertooth,
John B. Bruner,	Hiram Klette,	Basil G. Smith,
George R. Burgess,	Daniel Landes,	Albert G. Talbott,
William H. Calvert,	Preston H. Leslie,	Ambrose H. Talbott,
Robert H. Campbell,	Joseph H. Lewis,	Jesse S. Taylor,
George T. Campbell,	Andrew S. Linn,	Thomas Todd,
Winston J. Davie,	George W. Mansfield,	Thomas W. Varnon,
Joseph Dougherty,	William C. Marshall,	William T. Ward,
Alvin Duvall,	Daniel Matthewson,	G. W. Williams, of B.
Robert English,	Hiram McElroy,	Marcus L. Williams,
Edgar B. Gaither,	John S. McFarland,	James T. Woodward,
William H. Gardner,	James P. Metcalfe,	Edmund Wooldridge—70.
Squire Gatliff,		

Those who voted in the negative, were

Carlo B. Brittain,	Bernard H. Garrett,	Joel Owsley,
Henry R. D. Coleman,	Samuel L. Geiger,	Thomas Y. Payne,
Asbury Dawson,	Samuel Hanson,	John L. Sallee,
Lucius Desha,	William Harris,	William T. Terrill,
Edward F. Dulin,	Randall G. Hays,	John Tompson—17.
Richard H. Field,	Samuel A. Kingman,	

Resolved, That the title thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to organize County Courts in the several counties, and the substitute proposed therefor by Mr. Riley.

Mr. W. W. Alexander moved to refer said bill and substitute to a committee of five, with instructions to report the Senate bill to the House, without amendment, on to-morrow, at 10 o'clock, A. M.

Mr. Duvall moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Arnold and Hanson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
George P. Brown,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Wm. C. Marshall,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
George W. Williams, of B.
Marcus L. Williams—56.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
John B. Arnold,
Robert A. Athey,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Asbury Dawson,
Wm. H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
Norvin Green,
William M. Green,
P. B. Hawkins,
Lysander Hord,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
Morton P. Moore,
Julian N. Phelps,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—39.

Mr. Rogers moved to refer said bill and substitute to a committee of five, with instructions to report a bill on to-morrow, at 10 o'clock, organizing County Courts, and providing that the compensation to the Presiding Judge shall be raised from fees of office.

Mr. Duvall moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Landes and G. P. Brown, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Samuel L. Geiger,	James P. Metcalfe,
R. T. Baker,	John G. Gooch,	Strother D. Mitchell,
Wm. Beeler,	Alfred F. Graham,	Joel Murphy,
Wm. Bradley,	Wm. H. Grainger,	Benjamin L. Owens,
George P. Brown,	William M. Gray,	Thomas Y. Payne,
George R. Burgess,	Thomas S. Grundy,	Wm. Preston,
George T. Campbell,	George M. Hampton,	Edward C. Purdy,
Alexander P. Churchill,	Samuel Hanson,	Thomas W. Riley,
Henry R. D. Coleman,	William Harris,	John Shawhan,
John W. Cook,	Randall G. Hays,	Albert G. Talbott,
Lucius Desha,	Stilwell Heady,	Jesse S. Taylor,
Edward F. Dulin,	George W. Kavanaugh,	William T. Terrill,
Alvin Duvall,	Samuel A. Kingman,	John Tompson,
Robert English,	Hiram Klette,	Thomas W. Varnon,
Richard H. Field,	Peter Lashbrooke,	George W. Williams, of B.
Bernard H. Garrett,	William C. Marshall,	Marcus L. Williams—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Owsley,
James M. Alexander,	Norvin Green,	Julian N. Phelps,
William W. Alexander,	Wm. M. Green,	Burwell C. Ritter,
John B. Arnold,	P. B. Hawkins,	John Rodman,
Robert A. Athey,	Lysander Hord,	C. C. Rogers,
Carlo B. Brittain,	Samuel B. Jesup,	Joseph W. Rowlett,
George I. Brown,	Daniel Landes,	John L. Sallee,
John B. Bruner,	Preston H. Leslie,	George W. Silvertooth,
William H. Calvert,	Joseph H. Lewis,	Basil G. Smith,
Robert H. Campbell,	Andrew S. Linn,	Ambrose H. Talbott,
Winston J. Davie,	George W. Mansfield,	Thomas Todd,
Asbury Dawson,	Daniel Matthewson,	William T. Ward,
Joseph Dougherty,	Hiram McElroy,	G. W. Williams, of H.
Edgar B. Gaither,	John S. McFarland,	James T. Woodward,
William H. Gardner,	Morton P. Moore,	Edmund Wooldridge—47.
Squire Gatliff,	William B. Murphy,	

Mr. McElroy moved to amend the bill from the Senate by adding thereto the following, viz:

The said court shall have power to increase the width of private passways, so that the same shall not exceed twenty-five feet in width, and the application and proceedings had thereon shall be governed by the laws now in force on the subject of private passways.

That upon the trial of all cases of bastardy in said court, the defendant shall have the right to trial by jury.

And the question being taken on adopting the same, it was decided in the affirmative.

Mr. Wooldridge moved to amend the substitute of Mr. Riley by adding the following, viz:

Be it further enacted, That the judge of the county court shall have concurrent jurisdiction with the justices of the peace, and shall be clothed with the powers of a justice of the peace, and shall sit four times in each year, in the months of January, April, July, and October, at the court house, for the trial of all cases before him; and that all appeals from the justices of the peace shall be taken to the county court: *Provided*, that no one shall be tried out of his own justices district on original process, unless he consents thereto in writing, endorsed on the back of the warrant; and appeals from the judgment of the presiding judge shall be taken to the circuit court of the county, to be tried. as to sums under five pounds, by the court, and as to all sums over, by a jury.

Mr. G. P. Brown moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. P. Brown and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Squire Gatliff,	Strother D. Mitchell,
James B. Allen,	Samuel L. Geiger,	Joel Murphy,
William S. Black,	John G. Gooch,	Benjamin L. Owens,
William Bradley,	Alfred F. Graham,	Thomas Y. Payne,
George P. Brown,	William H. Grainger,	William Preston,
George R. Burgess,	Wm. M. Gray,	Edward C. Purdy,
George T. Campbell,	Thomas S. Grundy,	Thomas W. Riley,
Alexander P. Churchill,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel Hanson,	John Shawhan,
John W. Cook,	William Harris,	Albert G. Talbott,
Asbury Dawson,	Stilwell Heady,	Jesse S. Taylor,
Lucius Desha,	George W. Kavanaugh,	William T. Terrill,
Edward F. Dulin,	Hiram Klette,	John Tompson,
Alvin Duvall,	Peter Lashbrooke,	Thomas W. Varnon,
Robert English,	Caleb W. Logan,	G. W. Williams, of B.
Richard H. Field,	John S. McFarland,	Marcus L. Williams—50.
Bernard H. Garrett,	James P. Metcalfe,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Joel Owsley,
William W. Alexander,	Wm. M. Green,	Julian N. Phelps,
John B. Arnold,	P. B. Hawkins,	Burwell C. Ritter,
Robert A. Athey,	Randall G. Hays,	John Rodman,
R. T. Baker,	Lysander Hord,	C. C. Rogers,
Carlo B. Brittain,	Samuel B. Jesup,	John L. Sallee,
George I. Brown,	Samuel A. Kingman,	George W. Silvertooth,
John B. Bruner,	Daniel Landes,	Basil G. Smith,
Wm. H. Calvert,	Preston H. Leslie,	Ambrose H. Talbott,
Robert H. Campbell,	Joseph H. Lewis,	Thomas Todd,
Winston J. Davie,	Andrew S. Linn,	William T. Ward,

Joseph Dougherty,	George W. Mansfield,	G. W. Williams, of H.
Edgar B. Gaither,	Daniel Matthewson,	James T. Woodward,
William H. Gardner,	Hiram McElroy,	Edmund Wooldridge—44.
Cyrenius W. Gilmore,	William B. Murphy,	

Mr. W. M. Green moved to amend the substitute of Mr. Riley by striking out the 3rd section, and inserting in lieu thereof, the following, viz:

The County Court Judge shall receive, annually, from the county treasury, a compensation of dollars per day, for the time he may be necessarily engaged in holding the County Courts.

Mr. Hanson moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Ward, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Robert English,	Caleb W. Logan,
William W. Alexander,	Richard H. Field,	William C. Marshall,
James B. Allen,	Edgar B. Gaither,	John S. McFarland,
R. T. Baker,	Bernard H. Garrett,	James P. Metcalfe,
William Beeler,	Squire Gatliff,	Strother D. Mitchell,
William S. Black,	Samuel L. Geiger,	Joel Murphy,
William Bradley,	John G. Gooch,	Benjamin L. Owens,
Carlo B. Brittain,	Wm. H. Grainger,	Thomas Y. Payne,
George P. Brown,	Wm. M. Gray,	William Preston,
John B. Bruner,	Norvin Green,	Edward C. Purdy,
George R. Burgess,	Thomas S. Grundy,	Thomas W. Riley,
George T. Campbell,	George M. Hampton,	John Rodman,
Alexander P. Churchill,	Samuel Hanson,	Joseph W. Rowlett,
Henry R. D. Coleman,	Wm. Harris,	John Shawhan,
John W. Cook,	Stilwell Heady,	Jesse S. Taylor,
Asbury Dawson,	Samuel B. Jesup,	William T. Terrill,
Lucius Desha,	George W. Kavanaugh,	John Tompson,
Joseph Dougherty,	Hiram Klette,	Thomas W. Varnon,
Alvin Duvall,	Peter Lashbrooke,	G. W. Williams, of B—57.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Lysander Hord,	C. C. Rogers,
Robert A. Athey,	Samuel A. Kingman,	John L. Sallee,
George I. Brown,	Daniel Landes,	George W. Silvertooth,
William H. Calvert,	Preston H. Leslie,	Basil G. Smith,
Robert H. Campbell,	Joseph H. Lewis,	Albert G. Talbott,
Winston J. Davie,	Andrew S. Linn,	Ambrose H. Talbott,
Edward F. Dulin,	George W. Mansfield,	Thomas Todd,
William H. Gardner,	Daniel Matthewson,	William T. Ward,
Cyrenius W. Gilmore,	Hiram McElroy,	G. W. Williams, of H.
Alfred F. Graham,	Joel Owsley,	Marcus L. Williams,
William M. Green,	Julian N. Phelps,	James T. Woodward,
P. B. Hawkins,	Burwell C. Ritter,	Edmund Wooldridge—36.

Mr. Ward moved to refer said bill and substitute to a committee of seven, with instructions to report a bill by ten o'clock on to-morrow, paying the salary of the Judge in part from the county levy, and in part from the fees of office.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
John B. Arnold,
Robert A. Athey,
Carlo B. Brittain,
George I. Brown,
Robert H. Campbell,
Winston J. Davie,
Edward F. Dulin,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
William M. Gray,
Norvin Green,
William M. Green,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Morton P. Moore,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—37.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
Randall G. Hays,
Stilwell Heady,
George W. Kavanaugh,
Peter Lashbrooke,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Albert G. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
Marcus L. Williams—58.

Mr. Hord moved the following as a substitute for the substitute of Mr. Riley, which is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of the associate judges of the county court, created by the twenty-ninth section of the fourth article of the constitution, be and the same is hereby abolished.

§ 2. That a county court, composed of the presiding judge elected by the people—except when the justices of the peace are associated with him, as hereinafter provided—shall be held in the several counties of this commonwealth, on the days and at the places of holding existing county courts, as now directed by law; which court shall have and possess the same powers and jurisdiction conferred by existing laws upon the county courts in this commonwealth, and shall, in all things, be governed by the laws now in force regulating the jurisdiction and proceedings in the existing county courts, except so far as the same may be changed or altered by this act.

§ 3. The county court, at the October term thereof, in each year, shall audit and settle the claims against the county, make provision for the poor, and all necessary appropriations for the improvement of roads, building and repairing of bridges and public buildings; and, at the same time, said court shall lay and direct the levy to be collected, and shall do all things in relation to the financial affairs of the county which the existing county court may now lawfully do; and in those counties where a circuit court is holden in the month of October, the judge and justices of such counties, respectively, shall attend their November term for the purposes aforesaid; and it shall be the duty of the several justices of the peace in the county to attend said court and sit with the presiding judge, and compose a part of said court, for the purposes aforesaid; and the said presiding judge and a majority of the justices of the peace of the county, shall be sufficient to constitute a court for the purposes aforesaid; and the justices who shall attend and constitute said court, shall be allowed one dollar per day, each, to be paid out of the county levy; and, if the presiding judge shall deem it proper to make an appropriation, to be paid out of the county levy, at any other than the October term aforesaid, he shall have power to order a summons to be issued against the justices of the peace in his county, requiring them to attend at such term of said court as he may designate; and, upon a majority of the justices attending, they, with said judge, shall have power to make such appropriations as are proper and necessary; and the court, at such term, may adjourn from day to day, until a majority of the justices appear, and the business for which they have been convened is completed: *Provided*, that the presiding judge of the county court shall, at any other than the court at which the claims are audited, as aforesaid, have the power to make appropriations of sums not exceeding fifty dollars, without requiring the attendance of the justices of the peace aforesaid; but the appropriations made by said presiding judge shall not exceed one hundred dollars at any one term.

§ 4. Should a majority of the justices fail to attend said court, it shall be the duty of the presiding judge and the justices present, or either of the presiding judge or justices who may be present, to order a summons against the justices failing to attend, and to compel their attendance, by attachment or otherwise; and said court may adjourn from day to day, until a majority of the justices in the county shall be in attendance, and the necessary business of the court shall have been transacted.

§ 5. The records of the existing county courts shall be held and regarded as the records of the courts hereby organized in the same counties, respectively; and all the records of the clerk's office, and all the official papers and records pertaining thereto, in the several counties, shall be

kept, held, and regarded as the official papers and records of the clerks' office of the county courts hereby organized in the same counties; and said records and papers, or copies thereof, properly certified by the clerks of the several courts hereby organized—to whom the custody of such papers and records is given—shall be record evidence in all courts in this commonwealth, to the full extent that such papers and records now are, when properly certified by the proper officer; and, until otherwise directed by law, such papers and records, as well as the records and papers of the court hereby organized, and the official papers and records of the clerk of the court hereby organized, shall be kept in the same offices and in the same manner that they are now kept by the clerks of the existing county courts.

§ 6. The clerk of the court hereby organized, and the sheriffs of the several counties, shall discharge the same official duties in their respective counties which the same officers now do under existing laws; and they shall be officers of the county court, bear the same relation thereto, perform the same duties therein, as like officers do in and to the existing county courts: *Provided*, that the county court clerk shall not practice as an attorney at law in the court of which he is clerk; nor shall he suffer or permit any practicing lawyer to have or keep his office in any room where the records and papers of said clerk's office shall be kept.

§ 7. The presiding judge of the county court shall make all settlements with executors, administrators, and guardians, within his county; and, in making such settlements, he shall be governed by the laws now in force, regulating the duties of the standing commissioners appointed by the existing county courts—so far as the same are applicable—and for which he shall receive one dollar and fifty cents for each settlement, unless the same shall occupy more than one day, and if it should, then one dollar and fifty cents per day, to be paid as the standing commissioners are now paid for similar services: *Provided*, that when the judge may be interested personally, the clerk of the county court shall act as commissioner.

§ 8. The presiding judge of the county court shall hold quarterly terms in each year, at the seat of justice of his county, for the trial of all causes brought before him, at which he shall preside; he shall enter in a well-bound book, to be kept for that purpose, all orders, judgments, and decrees, by him given or rendered, all executions by him issued, with the time of issuing the same, the amount of such execution, the return day thereof, and the day on which the same shall have been returned; and all executions issued by the said presiding judge shall be directed and delivered to the sheriff or constable of his county, as now required by law; and the officer receiving the same shall be governed, in all things, by existing laws in relation to similar executions issued by circuit court clerks or justices of the peace, and shall be liable to the same pains and penalties: *Provided*, that in all cases where the sheriff is an interested party, such execution may be directed to the coroner, or any constable of his county, by name.

§ 9. The presiding judge of the county court shall have concurrent jurisdiction, both at law and in equity, with justices of the peace, in all cases where jurisdiction is conferred by existing laws on justices of the

peace, and with the circuit courts in all sums over fifty and under one hundred dollars; and in all actions of trespass and trespass on the case, and writs of replevin, where the damages complained of do not exceed one hundred dollars—except where the title or boundaries to land may be in controversy—under the same rules and regulations as are now prescribed by law, conferring jurisdiction on justices of the peace and circuit courts in this commonwealth; and said presiding judge shall be allowed the same fees as are allowed by law to justices of the peace and clerks of circuit courts, for similar services.

§ 10. That the presiding judge of the county court shall be a conservator of the peace within his county, and shall have all the power and jurisdiction in cases of riots, routs, and unlawful assemblies, breaches of the peace, and of all misdemeanors, now conferred by law on justices of the peace, subject to the same rules and regulations; and he shall have power, by his warrant, directed to the sheriff or any constable of his county, to cause persons charged with a violation of the penal laws of this commonwealth, to be apprehended and brought before him, and take the recognizance of such person, so charged, to appear and answer the same, or to commit such person to prison, there to remain until discharged by due course of law; and in all such proceedings he shall be governed by existing laws regulating the powers and proceedings of justices in similar cases.

§ 11. The presiding judge of the county court shall have power to grant writs of injunction, attachments in chancery, and writs of *ne exeat* in all cases; and, where the amount in controvesy does not exceed the sum of one hundred dollars, hear and determine the same. He shall have power to grant writs of *habens corpas*, and hear and determine the same. He shall have concurrent jurisdiction with the circuit courts in granting writs in relation to idiots and lunatics; and in all such cases he shall be governed by the laws now in force regulating the proceedings of circuit courts in similar cases.

§ 12. Every person who shall be guilty of false swearing before the presiding judge, shall be deemed guilty of felony, and punished accordingly.

§ 13. That either party to a suit before a justice of the peace shall have the same right of appeal to the county court as is now given by law, and under the same rules and regulations; and parties to suits commenced before the presiding judge, shall have the right of appeal from his decision to the circuit court of the county, under the same rules and regulations as are now prescribed by law in cases of appeals from justices of the peace to the circuit courts, in cases over five pounds.

§ 14. That the presiding judge of the county court, when applied to and his fees paid, shall give copies of all orders, judgments, or decrees made and rendered by him, and of all papers filed in his office, and complete records of cases tried and determined by him, under his hand and seal; and all such copies of records, &c., with the certificate of the clerk of the county court, and the seal of his office annexed, that said judge is the presiding judge of the county court of his county, shall be received as evidence in any court in this commonwealth.

§ 15. That in all suits brought before said presiding judge—where the

amount in controversy shall be over fifty dollars—a tax of fifty cents shall be paid by the plaintiff, and taxed in the bill of costs against the defendant, in all cases where judgment is rendered against him; and the presiding judge shall, in the month of November in each year, make out and certify to the auditor a list of such taxes received by him, and shall pay the same to the treasurer, under the same rules and regulations as are now prescribed by law, directing clerks of circuit courts to certify and pay taxes on law process.

§ 16. Whenever an administrator or executor shall, by a petition in writing, filed and sworn to by him in the county court, state and represent that the personal estate is insufficient to pay the debts or legacies, or both, and shall exhibit an inventory of the assets, as near as may be, with his petition as part thereof, and shall set forth the debts due from said estate, it shall be the duty of the county court judge to examine into the same, and if there be real estate or legacies of personal property or slaves in the will, or which descended to heirs, he shall cause summonses to be issued against the widow and heirs, or devisees, returnable to next court, if in the state, or if non-residents he shall enter on the record warning orders against them, returnable to next court, and in the latter case, appoint the county attorney, or some other attorney, to represent them; and when the parties are before the court, by service or warning order and traverse, he shall hear the case; and, if on hearing he shall be of opinion that real estate, legacies, or slaves, or any or all, will be necessary to pay debts, he will enter an order on the records requiring the same to be sold, and prescribe the terms of sale, and appoint commissioner, executor, administrator, or sheriff, to make the same, and when purchase money is paid, cause a deed to be made, conveying all the interests of the heirs or devisees: *Provided*, that no power is given hereby to sell the widow's dower, or such property as the laws reserve from execution; but, if the widow will file her consent in writing to a sale of her dower, and expressing her willingness to receive its value in money, then the decree of sale shall include the dower, and she shall receive its value in money; and, from time to time, sales may be made of enough to pay debts, when the parties are once before the court, if other debts appear not represented by the petition, enough to pay such debts and the cost of administration; and the court shall allow the attorney appointed, and all others, resonable fees for their services; and where the estate is insufficient to pay costs of administration and debts, then the distribution shall be made *pro rata*, saving to the parties entitled by laws now in force the liens allowed them; and, if any party in interest shall deem the order of sale improper, he may appeal to the circuit judge, who shall take all the papers from the county court and decide the question, and certify it to the county court; and, if he decides a sale is not necessary, then no sale shall be made—or, if he affirms the order of county court, the sale shall proceed; the administrator or executor shall be considered as representing the creditors, or they, or any of them, may enter an appearance as plaintiffs with executor or administrator, and shall have a right to be heard; and where liens or preferences shall be claimed, issues may be made between parties contending, and be heard and decided by the county court; and from these issues and decisions

the parties may appeal to the circuit court, as in other cases; but these appeals shall not remove any more of the cause than is necessary to an understanding of the contest; and, when decided by the circuit judge, he shall certify back to the county court his judgment, which shall be recorded, and the papers taken up shall be returned, or the county judge may cause the parties to agree the points of dispute for the decision of the circuit court, and certify the same, without removing any of the papers; and during the decisions of the questions between disputants, the administration of the estate shall progress, if it can do so, reserving enough to make good what the contestants may be entitled to. After the petition is filed, no suit shall be brought against the administrator or executor, but all claimants against the estate shall file their claims in the county court, with the clerk thereof; and proof thereof may be made in said court in term time, or the affidavits required by law may be made before any justice of the peace or the presiding judge of the county court; and where claims are disputed, the same shall be determined on issues formed by the parties, before the county court, as in other cases—or, if over the amount the county court judge has power by law to try, they shall stand for hearing in the next circuit court—that court requiring the parties to frame issues to try the claims set up, or defenses thereto; but the administration shall progress, if it can be done, reserving enough to pay said claim or claims, *pro rata: Provided*, that the chancellor of the Louisville chancery court and the judges of the circuit courts shall have concurrent jurisdiction with the presiding judge, in all cases arising under the provisions of this section, within the jurisdiction of said chancery and circuit courts.

§ 17. Whenever suit is brought before the presiding judge, for the settlement of an estate agreeably to the provisions of this act, he shall cause an advertisement to be made, by publication at least four times, by weekly insertions, in any newspaper printed in the county; and if there be none, then in such paper having a circulation in the county as the judge may designate, and by advertisements posted up at four or more public places in the county—one of which shall be at the court house door, and one in the neighborhood of the decedent's last residence—at least thirty days previous, giving notice to creditors to come forward and prove their claims before him, at such times and places as he may designate in the advertisement; and he shall tax the cost of such advertisement with the other costs of the suit.

§ 18. The presiding judges of the county court shall enter upon the duties of their office on the second Monday in June, 1851.

Mr. Brittain moved the previous question.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the substitute of Mr. Hord, in lieu of the substitute of Mr. Riley, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Silvertooth and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Morton P. Moore,
William W. Alexander,	William M. Green,	William B. Murphy,
John B. Arnold,	P. B. Hawkins,	Julian N. Phelps,
Robert A. Athey,	Randall G. Hays,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	John L. Sallee,
William H. Calvert,	Daniel Landes,	George W. Silvertooth,
John W. Cook,	Preston H. Leslie,	Basil G. Smith,
Winston J. Davie,	Joseph H. Lewis,	Ambrose H. Talbott,
Asbury Dawson,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	George W. Mansfield,	William T. Ward,
Edgar B. Gaither,	Daniel Matthewson,	G. W. Williams, of H.
Wm. H. Gardner,	Hiram McElroy,	Marcus L. Williams,
Squire Gatliff,	John S. McFarland,	James T. Woodward,
Cyrenius W. Gilmore,	Strother D. Mitchell,	Edmund Wooldridge—48.

Those who voted in the negative, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
James B. Allen,	Samuel L. Geiger,	Joel Murphy,
R. T. Baker,	John G. Gooch,	Benjamin L. Owens,
William Beeler,	Alfred F. Graham,	Joel Owsley,
Wm. S. Black,	William H. Grainger,	Thomas Y. Payne,
Wm. Bradley,	William M. Gray,	William Preston,
George P. Brown,	Thomas S. Grundy,	Edward C. Purdy,
George R. Burgess,	George M. Hampton,	Thomas W. Riley,
George T. Campbell,	Samuel Hanson,	Joseph W. Rowlett,
Alexander P. Churchill,	William Harris,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	Wm. T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John Tompson,
Robert English,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	William C. Marshall,	G. W. Williams, of B—48.

Mr. Dulin moved a reconsideration of the vote rejecting the amendment of Mr. Hord.

Mr. Metcalfe moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Metcalfe and Athey, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
James B. Allen,	Samuel L. Geiger,	Joel Murphy,
R. T. Baker,	John G. Gooch,	Benjamin L. Owens,
Wm. Beeler,	Alfred F. Graham,	Thomas Y. Payne,

William S. Black,	William H. Grainger,	Julian N. Phelps,
William Bradley,	William M. Gray,	William Preston,
George P. Brown,	Thomas S. Grundy,	Edward C. Purdy,
George R. Burgess,	George M. Hampton,	Thomas W. Riley,
George T. Campbell,	Samuel Hanson,	Joseph W. Rowlett,
Alexander P. Churchill,	Wm. Harris,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John Tompson,
Robert English,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	William C. Marshall,	G. W. Williams, of B—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Morton P. Moore,
William W. Alexander,	William M. Green,	William B. Murphy,
John B. Arnold,	P. B. Hawkins,	Joel Owsley,
Robert A. Athey,	Randall G. Hays,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	John L. Sallee,
Wm. H. Calvert,	Daniel Landes,	George W. Silvertooth,
Robert H. Campbell,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Joseph H. Lewis,	Ambrose H. Talbott,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	William T. Ward,
Joseph Dougherty,	Daniel Matthewson,	G. W. Williams, of H.
Edgar B. Gaither,	Hiram McElroy,	Marcus L. Williams,
William H. Gardner,	John S. McFarland,	James T. Woodward,
Squire Gatliff,	Strother D. Mitchell,	Edmund Wooldridge—49.
Cyrenius W. Gilmore,		

At quarter past 5 o'clock, P. M., Mr. Garrett moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rodman and G. P. Brown, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	John G. Gooch,	William C. Marshall,
James B. Allen,	Alfred F. Graham,	James P. Metcalfe,
R. T. Baker,	Wm. H. Grainger,	Joel Murphy,
Wm. Beeler,	William M. Gray,	Benjamin L. Owens,
William S. Black,	Thomas S. Grundy,	Thomas Y. Payne,
Wm. Bradley,	George M. Hampton,	Wm. Preston,
George P. Brown,	Samuel Hanson,	Edward C. Purdy,
George R. Burgess,	William Harris,	Thomas W. Riley,
George T. Campbell,	Stilwell Heady,	Joseph W. Rowlett,
Alexander P. Churchill,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	Thomas W. Varnon—37.
Bernard H. Garrett,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Joel Owsley,
William W. Alexander,	Cyrenius W. Gilmore,	Julian N. Phelps,
John B. Arnold,	Norvin Green,	Burwell C. Ritter,
Robert A. Athey,	Wm. M. Green,	John Rodman,
Carlo B. Brittain,	P. B. Hawkins,	C. C. Rogers,
George I. Brown,	Randall G. Hays,	John L. Sallee,
John B. Bruner,	Lysander Hord,	John Shawhan,
William H. Calvert,	Samuel B. Jesup,	George W. Silvertooth,
Robert H. Campbell,	Daniel Landes,	Basil G. Smith,
Henry R. D. Coleman,	Preston H. Leslie,	Albert G. Talbott,
John W. Cook,	Joseph H. Lewis,	Ambrose H. Talbott,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Asbury Dawson,	Caleb W. Logan,	John Tompson,
Lucius Desha,	George W. Mansfield,	William T. Ward,
Joseph Dougherty,	Daniel Matthewson,	George W. Williams, of B.
Robert English,	Hiram McElroy,	G. W. Williams, of H.
Richard H. Field,	John S. McFarland,	Marcus L. Williams,
Edgar B. Gaither,	Strother D. Mitchell,	James T. Woodward,
William H. Gardner,	Morton P. Moore,	Edmund Wooldridge—59.
Squire Gatliff,	William B. Murphy,	

Mr. Payne moved to postpone the motion of Mr. Dulin to reconsider the vote rejecting the substitute of Mr. Hord, until to-morrow.

Mr. A. G. Talbott, at half past 5 o'clock, P. M., moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Gilmore, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	William C. Marshall,
James M. Alexander,	John G. Gooch,	John S. McFarland,
James B. Allen,	Alfred F. Graham,	James P. Metcalfe,
R. T. Baker,	Wm. H. Grainger,	Joel Murphy,
William Beeler,	Wm. M. Gray,	Benjamin L. Owens,
William S. Black,	Thomas S. Grundy,	Thomas Y. Payne,
William Bradley,	George M. Hampton,	William Preston,
George P. Brown,	Samuel Hanson,	Edward C. Purdy,
George R. Burgess,	Wm. Harris,	Thomas W. Riley,
George T. Campbell,	Stilwell Heady,	Albert G. Talbott,
Alexander P. Churchill,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	Thomas W. Varnon—41.
Richard H. Field,	Caleb W. Logan,	

Those who voted in the negative, were

William W. Alexander,	Cyrenius W. Gilmore,	Julian N. Phelps,
John B. Arnold,	Norvin Green,	Burwell C. Ritter,
Robert A. Athey,	William M. Green,	John Rodman,

Carlo B. Brittain,
George I. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Samuel L. Geiger,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Strother D. Mitchell,
Morton P. Moore,
Wm. B. Murphy,
Joel Owsley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
John Tompson,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—56.

Mr. Payne then withdrew his motion to postpone the consideration of the motion to reconsider the vote rejecting the substitute of Mr. Hord.

Mr. Dulin then withdrew his motion to reconsider said vote.

At a quarter of 6 o'clock, P. M., Mr. Logan moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Dawson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
R. T. Baker,
Wm. Beeler,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Randall G. Hays,
Stilwell Heady,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
John L. Sallee,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—51.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Wm. W. Alexander,
John B. Arnold,
Robert A. Athey,
William S. Black,
Robert English,
Edgar B. Gaither,
Wm. H. Gardner,
Cyrenius W. Gilmore,
Norvin Green,
P. B. Hawkins,
William Preston,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,

George I. Brown,
John B. Bruner,
Robert H. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
Joel Owsley,
Julian N. Phelps,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
John Tompson,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
James T. Woodward—44.

And then the House adjourned.

THURSDAY, MARCH 6, 1851.

1. Mr. Davie presented the petition of the Trustees of School District, No. 4, in Christian county.

2. Mr. Geiger presented the petition of the President and Directors of the Louisville and Elizabethtown Turnpike Road Company.

3. Mr. Dougherty presented the petition of citizens of Falmouth, praying an act of incorporation of a library in said town.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d to the committee on the Judiciary; and the 3d to Messrs. Dougherty, Desha, and Shawhan.

Mr. Rowlett moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to inquire what legislation is necessary to organize the general court, and further to inquire into the propriety of abolishing said court, and vesting the jurisdiction heretofore conferred on the same, in the Franklin circuit court; and that they report by bill or otherwise.

Which was adopted.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to apportion representation.

An act to incorporate the Erodelphian Society of Cumberland College.

An act giving further time to the citizens of Whitley county to return plats of surveys made on lands in said county.

That they had passed a bill, entitled, an act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

Mr. Moore reported a bill to authorize Thomas Martin, of Estill county, to keep a tavern without the payment of tax, which was read the first time, and ordered to be read a second time.

On motion of Mr. W. W. Alexander,

Ordered, That said bill be read a second time on to-morrow, at 10 o'clock, A. M.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill repealing an act, approved January 21, 1851, in regard to Three Mile Creek, in Lawrence county, and declaring said creek navigable.

By same—2. A bill to give to the Carroll County Court control of the State roads in said county.

By same—3. A bill to amend an act, entitled, an act to incorporate the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

By same—4. A bill to amend the charter of the town of Paducah.

By the committee on Education—5. A bill to amend an act, entitled, an act incorporating the Trustees of the Parochial School of the Hanging Fork Presbyterian Church, approved February 9, 1850.

By same—6. A bill for the benefit of certain Common School Districts in Henderson, Henry, and Monroe counties.

By same—7. A bill for the benefit of Newcastle Common School District, in Henry county.

By Mr. Gooch—8. A bill providing further for the collection of debts before Justices of the Peace.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, and 7th, were severally ordered to be engrossed and read a third time, and the 8th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the committee on Internal Improvement, reported a bill authorizing the County Courts of sundry counties to subscribe stock in Railroad Companies, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

On motion of Mr. Hawkins,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

Mr. Rogers, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to incorporate Union College, in the town of Morganfield, in Union county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to organize County Courts in the several counties, and the substitute therefor proposed by Mr. Riley.

Mr. Owsley moved a reconsideration of the vote of yesterday, rejecting the substitute proposed by Mr. Hord, for the substitute of Mr. Riley.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	William B. Murphy,
William W. Alexander,	Wm. M. Green,	Joel Owsley,
John B. Arnold,	P. B. Hawkins,	Julian N. Phelps,
Robert A. Athey,	Randall G. Hays,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	John L. Sallee,
Wm. H. Calvert,	Daniel Landes,	George W. Silvertooth,
Robert H. Campbell,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Joseph H. Lewis,	Ambrose H. Talbott,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	William T. Ward,
Joseph Dougherty,	Daniel Matthewson,	G. W. Williams, of H.
Edgar B. Gaither,	Hiram McElroy,	Marcus L. Williams,
William H. Gardner,	John S. McFarland,	James T. Woodward,
Squire Gatliff,	Strother D. Mitchell,	Edmund Wooldridge—50.
Cyrenius W. Gilmore,	Morton P. Moore,	

Those who voted in the negative, were

James M. Alexander,	Bernard H. Garrett,	James P. Metcalfe,
James B. Allen,	Samuel L. Geiger,	George H. Morrow,
R. T. Baker,	John G. Gooch,	Joel Murphy,
William Beeler,	Alfred F. Graham,	Benjamin L. Owens,
William S. Black,	William H. Grainger,	Thomas Y. Payne,
William Bradley,	Wm. M. Gray,	William Preston,

George P. Brown,	Thomas S. Grundy,	Edward C. Purdy,
George R. Burgess,	George M. Hampton,	Thomas W. Riley,
George T. Campbell,	Samuel Hanson,	Joseph W. Rowlett,
Alexander P. Churchill,	William Harris,	John Shawhan,
Henry R. D. Coleman,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John Tompson,
Robert English,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	Wm. C. Marshall,	G. W. Williams, of B—48.

Mr. Hanson moved a reconsideration of the vote ordering the previous question.

Mr. Hord moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Owsley,
William W. Alexander,	Norvin Green,	Julian N. Phelps,
John B. Arnold,	William M. Green,	Burwell C. Ritter,
Robert A. Athey,	P. B. Hawkins,	John Rodman,
Carlo B. Brittain,	Randall G. Hays,	C. C. Rogers,
George I. Brown,	Lysander Hord,	John L. Sallee,
John B. Bruner,	Samuel B. Jesup,	John Shawhan,
George R. Burgess,	Daniel Landes,	George W. Silvertooth,
William H. Calvert,	Preston H. Leslie,	Basil G. Smith,
Robert H. Campbell,	Joseph H. Lewis,	Ambrose H. Talbott,
Henry R. D. Coleman,	Andrew S. Linn,	Thomas Todd,
John W. Cook,	George W. Mansfield,	William T. Ward,
Asbury Dawson,	Daniel Matthewson,	George W. Williams, of B.
Lucius Desha,	Hiram McElroy,	G. W. Williams, of H.
Joseph Dougherty,	John S. McFarland,	Marcus L. Williams,
Robert English,	Strother D. Mitchell,	James T. Woodward,
Wm. H. Gardner,	Morton P. Moore,	Edmund Wooldridge—53.
Squire Gatliff,	William B. Murphy,	

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	Wm. C. Marshall,
James B. Allen,	John G. Gooch,	James P. Metcalfe,
R. T. Baker,	Alfred F. Graham,	George H. Morrow,
William Beeler,	William H. Grainger,	Joel Murphy,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	Thomas S. Grundy,	Thomas Y. Payne,
George P. Brown,	George M. Hampton,	Wm. Preston,
George T. Campbell,	Samuel Hanson,	Edward C. Purdy,
Alexander P. Churchill,	William Harris,	Thomas W. Riley,
Winston J. Davie,	Stilwell Heady,	Joseph W. Rowlett,

Edward F. Dulin,	George W. Kavanaugh,	Albert G. Talbott,
Alvin Duvall,	Samuel A. Kingman,	Jesse S. Taylor,
Richard H. Field,	Hiram Klette,	William T. Terrill,
Edgar B. Gaither,	Peter Lashbrooke,	John Tompson,
Bernard H. Garrett,	Caleb W. Logan,	Thomas W. Varnon—45.

The question was then taken on the adoption of the substitute of Mr. Hord for the substitute of Mr. Riley, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
William W. Alexander,	Norvin Green,	Wm. B. Murphy,
John B. Arnold,	William M. Green,	Joel Owsley,
Robert A. Athey,	P. B. Hawkins,	Julian N. Phelps,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John Rodman,
John B. Bruner,	Samuel B. Jesup,	C. C. Rogers,
William H. Calvert,	Samuel A. Kingman,	John L. Sallee,
Robert H. Campbell,	Daniel Landes,	George W. Silvertooth,
Henry R. D. Coleman,	Preston H. Leslie,	Basil G. Smith,
John W. Cook,	Joseph H. Lewis,	Ambrose H. Talbott,
Winston J. Davie,	Andrew S. Linn,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	William T. Ward,
Joseph Dougherty,	Daniel Matthewson,	George W. Williams, of H.
Edgar B. Gaither,	Hiram McElroy,	Marcus L. Williams,
William H. Gardner,	John S. McFarland,	James T. Woodward,
Squire Gatliff,	Strother D. Mitchell,	Edmund Wooldridge—51.

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	George H. Morrow,
James B. Allen,	John G. Gooch,	Joel Murphy,
R. T. Baker,	Alfred F. Graham,	Benjamin L. Owens,
William Beeler,	Wm. H. Grainger,	Thomas Y. Payne,
William S. Black,	William M. Gray,	William Preston,
William Bradley,	Thomas S. Grundy,	Edward C. Purdy,
George P. Brown,	George M. Hampton,	Thomas W. Riley,
George R. Burgess,	Samuel Hanson,	Joseph W. Rowlett,
George T. Campbell,	William Harris,	John Shawhan,
Alexander P. Churchill,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Hiram Klette,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	John Tompson,
Robert English,	Caleb W. Logan,	Thomas W. Varnon,
Richard H. Field,	William C. Marshall,	G. W. Williams, of B—47.
Bernard H. Garrett,	James P. Metcalfe,	

The question was then taken on the adoption of the substitute of Mr. Hord in lieu of the bill from the Senate, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Metcalfe and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Owsley,
William W. Alexander,	Norvin Green,	Julian N. Phelps,
John B. Arnold,	William M. Green,	Edward C. Purdy,
Robert A. Athey,	P. B. Hawkins,	Burwell C. Ritter,
Carlo B. Brittain,	Randall G. Hays,	John Rodman,
George I. Brown,	Lysander Hord,	C. C. Rogers,
George P. Brown,	Samuel B. Jesup,	John L. Sallee,
John B. Bruner,	Daniel Landes,	John Shawhan,
Wm. H. Calvert,	Preston H. Leslie,	George W. Silvertooth,
Robert H. Campbell,	Joseph H. Lewis,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	Ambrose H. Talbott,
John W. Cook,	George W. Mansfield,	Thomas Todd,
Asbury Dawson,	Daniel Matthewson,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	William T. Ward,
Robert English,	John S. McFarland,	G. W. Williams, of H.
Richard H. Field,	Strother D. Mitchell,	Marcus L. Williams,
William H. Gardner,	Morton P. Moore,	James T. Woodward,
Squire Gatliff,	William B. Murphy,	Edmund Wooldridge—54.

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	William C. Marshall,
James B. Allen,	John G. Gooch,	James P. Metcalfe,
R. T. Baker,	Alfred F. Graham,	George H. Morrow,
Wm. Beeler,	William H. Grainger,	Joel Murphy,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	Thomas S. Grundy,	Thomas Y. Payne,
George R. Burgess,	George M. Hampton,	William Preston,
George T. Campbell,	Samuel Hanson,	Thomas W. Riley,
Alexander P. Churchill,	Wm. Harris,	Joseph W. Rowlett,
Winston J. Davie,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Edward F. Dulin,	Samuel A. Kingman,	William T. Terrill,
Alvin Duvall,	Hiram Klette,	Thomas W. Varnon,
Edgar B. Gaither,	Peter Lashbrooke,	G. W. Williams, of B—44.
Bernard H. Garrett,	Caleb W. Logan,	

The question was then taken on reading said bill, as amended, a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Joel Owsley,
Wm. W. Alexander,	William M. Green,	Julian N. Phelps,
John B. Arnold,	P. B. Hawkins,	Edward C. Purdy,
Robert A. Athey,	Randall G. Hays,	Burwell C. Ritter,
Carlo B. Brittain,	Lysander Hord,	John Rodman,
George I. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Daniel Landes,	John L. Sallee,

William H. Calvert,	Preston H. Leslie,	George W. Silvertooth,
Robert H. Campbell,	Joseph H. Lewis,	Basil G. Smith,
Henry R. D. Coleman,	Andrew S. Linn,	Ambrose H. Talbott,
John W. Cook,	George W. Mansfield,	Thomas Todd,
Winston J. Davie,	Daniel Matthewson,	John Tompson,
Asbury Dawson,	Hiram McElroy,	William T. Ward,
Joseph Dougherty,	John S. McFarland,	G. W. Williams, of H.
Edgar B. Gaither,	Strother D. Mitchell,	Marcus L. Williams,
William H. Gardner,	Morton P. Moore,	James T. Woodward,
Squire Gatliff,	George H. Morrow,	Edmund Wooldridge—53.
Cyrenius W. Gilmore,	William B. Murphy,	

Those who voted in the negative, were

James M. Alexander,	Bernard H. Garrett,	Caleb W. Logan,
James B. Allen,	Samuel L. Geiger,	William C. Marshall,
R. T. Baker,	John G. Gooch,	James P. Metcalfe,
William Beeler,	Alfred F. Graham,	Joel Murphy,
William S. Black,	William H. Grainger,	Benjamin L. Owens,
William Bradley,	William M. Gray,	Thomas Y. Payne,
George P. Brown,	Thomas S. Grundy,	William Preston,
George R. Burgess,	George M. Hampton,	Thomas W. Riley,
George T. Campbell,	Samuel Hanson,	Joseph W. Rowlett,
Alexander P. Churchill,	William Harris,	John Shawhan,
Lucius Desha,	Stilwell Heady,	Albert G. Talbott,
Edward F. Dulin,	George W. Kavanaugh,	Jesse S. Taylor,
Alvin Duvall,	Samuel A. Kingman,	Wm. T. Terrill,
Robert English,	Hiram Klette,	Thomas W. Varnon,
Richard H. Field,	Peter Lashbrooke,	G. W. Williams, of B—45.

Mr. Varnon moved to dispense with the third reading of said bill.

And the question being taken thereon, it was decided in the negative; it requiring a majority of four-fifths.

The yeas and nays being required thereon by Messrs. Payne and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Benjamin L. Owens,
William W. Alexander,	William H. Grainger,	Joel Owsley,
John B. Arnold,	William M. Gray,	Julian N. Phelps,
Robert A. Athey,	Norvin Green,	Edward C. Purdy,
Wm. S. Black,	William M. Green,	Burwell C. Ritter,
Carlo B. Brittain,	P. B. Hawkins,	John Rodman,
George I. Brown,	Randall G. Hays,	C. C. Rogers,
John B. Bruner,	Lysander Hord,	John L. Sallee,
William H. Calvert,	Samuel B. Jesup,	John Shawhan,
Robert H. Campbell,	Daniel Landes,	George W. Silvertooth,
Alexander P. Churchill,	Preston H. Leslie,	Basil G. Smith,
Henry R. D. Coleman,	Joseph H. Lewis,	Albert G. Talbott,
John W. Cook,	Andrew S. Linn,	Ambrose H. Talbott,
Winston J. Davie,	Caleb W. Logan,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	John Tompson,
Lucius Desha,	Daniel Matthewson,	Thomas W. Varnon,
Joseph Dougherty,	Hiram McElroy,	William T. Ward,

Robert English, John S. McFarland, G. W. Williams, of B.
Richard H. Field, Strother D. Mitchell, G. W. Williams, of H.
Edgar B. Gaither, Morton P. Moore, Marcus L. Williams,
Wm. H. Gardner, George H. Morrow, James T. Woodward,
Squire Gatliff, William B. Murphy, Edmund Wooldridge—66.

Those who voted in the negative, were

James M. Alexander, Samuel L. Geiger, Peter Lashbrooke,
James B. Allen, John G. Gooch, William C. Marshall,
R. T. Baker, Alfred F. Graham, James P. Metcalfe,
William Beeler, Thomas S. Grundy, Joel Murphy,
Wm. Bradley, George M. Hampton, Thomas Y. Payne,
George P. Brown, Samuel Hanson, William Preston,
George R. Burgess, William Harris, Thomas W. Riley,
George T. Campbell, Stilwell Heady, Joseph W. Rowlett,
Edward F. Dulin, George W. Kavanaugh, Jesse S. Taylor,
Alvin Duvall, Samuel A. Kingman, Wm. T. Terrill—32.
Bernard H. Garrett, Hiram Klette,

Mr. W. W. Alexander moved to dispense with the orders of the day, in order that said bill may be taken out of the orders, and have its third reading on to-morrow, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative; it requiring a majority of two-thirds.

The yeas and nays being required thereon by Messrs. Lewis and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) Wm. H. Grainger, William B. Murphy,
William W. Alexander, William M. Gray, Benjamin L. Owens,
John B. Arnold, Norvin Green, Joel Owsley,
Robert A. Athey, Wm. M. Green, Julian N. Phelps,
Carlo B. Brittain, P. B. Hawkins, Edward C. Purdy,
George I. Brown, Randall G. Hays, Burwell C. Ritter,
George P. Brown, Lysander Hord, John Rodman,
John B. Bruner, Samuel B. Jesup, John L. Sallee,
William H. Calvert, Daniel Landes, John Shawhan,
Henry R. D. Coleman, Preston H. Leslie, George W. Silvertooth,
John W. Cook, Joseph H. Lewis, Basil G. Smith,
Winston J. Davie, Andrew S. Linn, Ambrose H. Talbott,
Asbury Dawson, Caleb W. Logan, Thomas Todd,
Lucius Desha, George W. Mansfield, John Tompson,
Joseph Dougherty, Daniel Matthewson, Thomas W. Varnon,
Robert English, Hiram McElroy, William T. Ward,
Richard H. Field, John S. McFarland, George W. Williams, of B.
Edgar B. Gaither, Strother D. Mitchell, G. W. Williams, of H.
William H. Gardner, Morton P. Moore, Marcus L. Williams,
Squire Gatliff, George H. Morrow, James T. Woodward,
Cyrenius W. Gilmore, Joel Murphy, Edmund Wooldridge—63.

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	Peter Lashbrooke,
James B. Allen,	John G. Gooch,	William C. Marshall,
R. T. Baker,	Alfred F. Graham,	James P. Metcalfe,
Wm. Beeler,	Thomas S. Grundy,	Thomas Y. Payne,
William S. Black,	George M. Hampton,	Wm. Preston,
Wm. Bradley,	Samuel Hanson,	Thomas W. Riley,
George R. Burgess,	William Harris,	C. C. Rogers,
George T. Campbell,	Stilwell Heady,	Joseph W. Rowlett,
Edward F. Dulin,	George W. Kavanaugh,	Albert G. Talbott,
Alvin Duvall,	Samuel A. Kingman,	Jesse S. Taylor,
Bernard H. Garrett,	Hiram Klette,	William T. Terrill—33.

The House then took up the bill regulating the distribution and re-investment of the income of the funds set apart for Common School purposes.

The said bill was then amended.

And then the House adjourned.

FRIDAY, MARCH 7, 1851.

1. Mr. Varnon presented the petition of citizens of Lincoln county, praying the passage of a law in favor of Common School District, No. 3, in said county.

2. Also, the petition of citizens of said county, praying that further time be given clerks to list their fee bills for collection.

3. Mr. Heady presented the petition of citizens of Spencer county, praying a change in the boundary of District No. 3, in said county, for the election of Magistrates and a Constable.

4. Mr. Hanson presented the petition of Leonard Bell, praying the incorporation of a company to make a turnpike road from Winchester to Mountsterling, by way of Kiddville.

5. Mr. Dulin presented the petition of citizens of Hillsboro', in Fleming county, praying an amendment to their town charter.

6. Mr. Field presented the petition of the Directors of the Falls City Insurance Company, praying an amendment to their charter.

7. Mr. Thompson presented the petition of citizens of Lewis county, praying a change in a voting place in said county.

8. Also, the petition of citizens of Lewis county, praying a Justices' and Constables' District, in said county, may be enlarged.

9. Mr. Dulin presented the petition of W. T. Dudley, Clerk of the Fleming County Court, praying further time to list his fee bills for 1849.

10. Mr. Harris presented the petition of citizens of Madison county, praying a change in the boundaries of the 2d and 3d Districts, in said county, for the election of Justices of the Peace and Constables.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; 2d, 4th, 5th, 6th, and 9th, to the committee on the Judiciary; the 3d, 7th, and 8th, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; and the 10th to the committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act legalizing the proceedings of the Owsley County Court.

An act to amend the charter of the Southern Bank of Kentucky.

Mr. T. Todd, from the committee on Military Affairs, reported a bill to authorize the Commandant of the 36th Regiment of Militia to list for collection the fines assessed in 1849.

Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. T. Todd, from the same committee, reported a bill for the benefit of the National Guards, of the city of Louisville, which was read the first time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present officers and members of the "First Company of National Guards," in the city of Louisville, and their successors, be and are hereby constituted a body corporate and politic, with full power to sue and be sued, contract and be contracted with, under the style of the *National Guards*, with power to receive honorary members, for the purpose of sustaining it, to the number of one hundred and fifty; and every such honorary member, except in case of war, insurrection, or invasion, shall be exempt from performing militia duty, each year that he shall pay five dollars to the treasurer for the benefit of said company, and the treasurer's receipt shall be *prima facie* evidence of each member's right of exemption from performing militia duty for one year after the date of such receipt.

§ 2. That said National Guards shall have power to purchase and hold all such real estate as may be necessary for the erection of an *arsenal*, or other buildings requisite for the preservation of their arms, ammunition, and equipments, &c., &c.

§ 3. That any honorary member may be expelled by a vote of the majority of the active members of said company, at any of their regular meetings; and that such honorary member may at any time hand to said treasurer his written resignation of membership, and shall not be further liable to such company, except for arrears unpaid.

§ 4. The commissioned officers of said company shall consist of a Captain and four Lieutenants; and the Governor shall issue commissions to the third Lieutenant of said company, and to the first Lieutenant of artillery attached to said company.

§ 5. The said company of National Guards is hereby attached to the *first regiment* and *twenty-ninth brigade* of Kentucky Militia, and the *Captain* is hereby relieved from attending the courts of assessment, and the officers and regular members shall only be required to attend the regimental and battalion musters of said regiment.

§ 6. The company and its board of officers shall have power to pass and enforce any by-laws, rules, and regulations, for the proper discipline and government thereof, and to collect by suit any fines and forfeitures which may be imposed on the officers, members, or honorary members, under such by-laws, rules, and regulations; and said fines and forfeitures shall be paid over directly to the proper officers of the company.

§ 7. That said company shall have power to accept active and honorary members from any part of the city of Louisville and Jefferson county.

§ 8. That said company shall have power to charge each active member twenty-five cents per month, for the benefit of said company; and, in case of sickness of any such member, he shall be entitled to from three to five dollars per week, in the discretion of said company.

§ 9. Should said company disband or dissolve themselves, then the property of said company shall be given over to the proper authority of the city of Louisville, for the benefit of public schools of said city.

§ 10. The General Assembly reserves the right to alter or repeal this act at pleasure.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Preston, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. M. Gray,	Strother D. Mitchell,
James M. Alexander,	Norvin Green,	Morton P. Moore,
James B. Allen,	William M. Green,	Joel Murphy,
Robert A. Athey,	Thomas S. Grundy,	Wm. B. Murphy,
R. T. Baker,	George M. Hampton,	Benjamin L. Owens,
William Bradley,	Samuel Hanson,	Thomas Y. Payne,
George I. Brown,	Wm. Harris,	Julian N. Phelps,
George P. Brown,	Stilwell Heady,	William Preston,
John B. Bruner,	Lysander Hord,	Edward C. Purdy,
George R. Burgess,	Samuel B. Jesup,	Thomas W. Riley,
Robert H. Campbell,	George W. Kavanaugh,	Burwell C. Ritter,

George T. Campbell,	Samuel A. Kingman,	John Rodman,
Winston J. Davie,	Hiram Klette,	C. C. Rogers,
Asbury Dawson,	Preston H. Leslie,	Basil G. Smith,
Edward F. Dulin,	Joseph H. Lewis,	Jesse S. Taylor,
Richard H. Field,	Caleb W. Logan,	Thomas Todd,
Edgar B. Gaither,	George W. Mansfield,	John Tompson,
William H. Gardner,	William C. Marshall,	Thomas W. Varnon,
Squire Gatliff,	Daniel Matthewson,	G. W. Williams, of H.
Samuel L. Geiger,	Hiram McElroy,	Marcus L. Williams,
John G. Gooch,	James P. Metcalfe,	James T. Woodward—64.
Wm. H. Grainger,		

Those who voted in the negative, were

William S. Black,	Cyrenius W. Gilmore,	John Shawhan,
Carlo B. Brittain,	Alfred F. Graham,	George W. Silvertooth,
Henry R. D. Coleman,	Daniel Landes,	William T. Terrill,
Lucius Desha,	George H. Morrow,	William T. Ward,
Joseph Dougherty,	Joel Owsley,	G. W. Williams, of B—17.
Bernard H. Garrett,	John L. Sallee,	

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Logan, leave of absence was granted to Messrs. Churchill and Wooldridge, indefinitely.

On motion of Mr. Payne, leave of absence, for four days, was granted to Mr. Lashbrooke.

On motion of Mr. Varnon, leave of absence, for four days, was granted to Mr. Linn.

An engrossed bill, entitled, an act authorizing the County Courts of sundry counties to subscribe stock in railroad companies, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to authorize Thomas Martin, of Estill county, to keep a tavern without the payment of tax, was read the second time.

The said bill was then amended.

On motion of Mr. Dawson,

Ordered, That said bill be laid on the table.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act to charter the Bowlingreen and Tennessee Railroad Company.

An act allowing an additional Magistrates' and Constables' District in Scott county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

Mr. G. I. Brown, from the committee on Agriculture and Manufactures, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Goodin, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative; and so the said bill was disagreed to.

Mr. N. Green, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to incorporate the Deposit Bank of Maysville, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Whitley county, in relation to surveys on vacant lands, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That the same be referred to the committee on the Judiciary.

Mr. Bradley, from the same committee, to whom was referred the petition and remonstrance of sundry citizens of Logan county, in relation to the navigation of Whippoorwill, asked to be discharged from the further consideration of the same, which was granted.

Mr. Bradley, from the same committee, reported a bill to allow John A. Hunt, of Laurel county, to vend goods, wares, and merchandise without license, which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John A. Hunt, of Laurel county, be and he is hereby permitted to vend his goods, wares, and merchandise, as a peddler, in any county of this State, without the payment of the tax now required by law of peddlers: *Provided*, that the privilege hereby granted shall not be exercised for the benefit of any other person, either directly or indirectly: *And, provided further*, that said Hunt shall be liable to all the penalties imposed by law for retailing spirits, or dealing unlawfully with slaves.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Strother D. Mitchell,
James M. Alexander,	William M. Gray,	Morton P. Moore,
John B. Arnold,	George M. Hampton,	Joel Murphy,
Robert A. Athey,	Wm. Harris,	Benjamin L. Owens,
R. T. Baker,	P. B. Hawkins,	Julian N. Phelps,
Wm. Beeler,	Randall G. Hays,	William Preston,
William Bradley,	Stilwell Heady,	Edward C. Purdy,
George P. Brown,	Samuel B. Jesup,	Thomas W. Riley,
George R. Burgess,	George W. Kavanaugh,	Burwell C. Ritter,
Wm. H. Calvert,	Hiram Klette,	C. C. Rogers,
Joseph Dougherty,	Daniel Landes,	Joseph W. Rowlett,
Alvin Duvall,	Preston H. Leslie,	George W. Silvertooth,
Robert English,	Joseph H. Lewis,	Basil G. Smith,
Richard H. Field,	Caleb W. Logan,	Jesse S. Taylor,
Edgar B. Gaither,	George W. Mansfield,	Thomas Todd,
Wm. H. Gardner,	William C. Marshall,	Thomas W. Varnon,
Bernard H. Garrett,	Daniel Matthewson,	William T. Ward,
Squire Gatliff,	Hiram McElroy,	G. W. Williams, of H.
Cyrenius W. Gilmore,	John S. McFarland,	Marcus L. Williams,
John G. Gooch,	James P. Metcalfe,	James T. Woodward—60.

Those who voted in the negative, were

George I. Brown,	Asbury Dawson,	Samuel Hanson,
John B. Bruner,	Lucius Desha,	George H. Morrow
George T. Campbell,	Edward F. Dulin,	Joel Owsley,
Henry R. D. Coleman,	Samuel L. Geiger,	John Shawhan,
John W. Cook,	William M. Green,	William T. Terrill,
Winston J. Davie,	Thomas S. Grundy,	John Tompson—18.

Resolved, That the title thereof be as aforesaid.

The House then took up the bill regulating the distribution and reinvestment of the income of the fund set apart for common school purposes.

Ordered, That said bill be engrossed and read a third time.

On motion of Mr. W. M. Green,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

Mr. Preston moved the following resolution, viz:

Resolved, That the bill the better to define and punish penal offenses, be referred to the Commissioners appointed to revise the statute law of this commonwealth, for their consideration and report.

Which was adopted.

Mr. Rogers moved to suspend the rules to take up from the orders of the day the bill from the Senate, entitled, an act to organize County Courts in the several counties.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time, as amended.

Mr. Hord moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

§ 19. That nothing in this act shall be so construed as to authorize the trial of causes, of which justices of the peace have jurisdiction, out of the justice's district in which the defendant resides, without the consent, in writing, of such defendant be indorsed on the back of the warrant; and unless such consent be given, the officer executing the warrant shall return the same for trial before some justice of the peace in the district in which such defendant, or some one of them, resides.

And the question being taken thereon, it was decided in the affirmative.

Mr. Kavanaugh moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

§ 20. In all bastardy cases, the court shall cause a jury to be impanneled, to find the facts of the case, and assess the amount to be paid by the defendant, in case the finding of the jury be against such defendant, under the rules and regulations of conducting jury trials in other cases.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ward moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That when any person interested in estate before the judge of the county, shall demand the appointment of a commissioner to settle said estate, that the judge shall appoint one commissioner to make such settlement, who shall be entitled to the same fees as are by this act given to the judge when he makes settlements.

Mr. Payne moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on the adoption of the ryder proposed by Mr. Ward, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lewis and Payne, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Richard H. Field,	Joel Murphy,
James B. Allen,	Bernard H. Garrett,	Benjamin L. Owens,
R. T. Baker,	Samuel L. Geiger,	Thomas Y. Payne,
William Beeler,	Cyrenius W. Gilmore,	Julian N. Phelps,
William S. Black,	John G. Gooch,	William Preston,

William Bradley,	Alfred F. Graham,	Edward C. Purdy,
George P. Brown,	Wm. M. Gray,	Thomas W. Riley,
George R. Burgess,	Thomas S. Grundy,	Joseph W. Rowlett,
George T. Campbell,	George M. Hampton,	John Shawhan,
Winston J. Davie,	Samuel Hanson,	George W. Silvertooth,
Asbury Dawson,	William Harris,	Albert G. Talbott,
Lucius Desha,	George W. Kavanaugh,	Jesse S. Taylor,
Joseph Dougherty,	Samuel A. Kingman,	William T. Terrill,
Edward F. Dulin,	Caleb W. Logan,	John Tompson,
Alvin Duvall,	Wm. C. Marshall,	William T. Ward,
Robert English,	James P. Metcalfe,	Marcus L. Williams—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Wm. M. Green,	Morton P. Moore,
William W. Alexander,	P. B. Hawkins,	George H. Morrow,
John B. Arnold,	Randall G. Hays,	William B. Murphy,
Robert A. Athey,	Stilwell Heady,	Joel Owsley,
Carlo B. Brittain,	Lysander Hord,	Burwell C. Ritter,
George I. Brown,	Samuel B. Jesup,	John Rodman,
John B. Bruner,	Daniel Landes,	C. C. Rogers,
Wm. H. Calvert,	Preston H. Leslie,	John L. Sallee,
Robert H. Campbell,	Joseph H. Lewis,	Basil G. Smith,
Henry R. D. Coleman,	George W. Mansfield,	Thomas Todd,
John W. Cook,	Daniel Matthewson,	Thomas W. Varnon,
Edgar B. Gaither,	Hiram McElroy,	George W. Williams, of B.
William H. Gardner,	John S. McFarland,	G. W. Williams, of H.
Squire Gatliff,	Strother D. Mitchell,	James T. Woodward—43.
Norvin Green,		

The question was then taken on the passage of said bill, and it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Gooch and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Joel Owsley,
Robert A. Athey,	Norvin Green,	Julian N. Phelps,
William S. Black,	William M. Green,	William Preston,
Carlo B. Brittain,	P. B. Hawkins,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	Burwell C. Ritter,
John B. Bruner,	Lysander Hord,	John Rodman,
Wm. H. Calvert,	Daniel Landes,	John L. Sallee,
Robert H. Campbell,	Preston H. Leslie,	George W. Silvertooth,
Henry R. D. Coleman,	Joseph H. Lewis,	Albert G. Talbott,
John W. Cook,	George W. Mansfield,	Thomas Todd,
Winston J. Davie,	Daniel Matthewson,	John Tompson,
Asbury Dawson,	Hiram McElroy,	William T. Ward,
Joseph Dougherty,	John S. McFarland,	G. W. Williams, of H.
Edgar B. Gaither,	Strother D. Mitchell,	Marcus L. Williams,
William H. Gardner,	Morton P. Moore,	James T. Woodward—46.
Squire Gatliff,		

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
R. T. Baker,
Wm. Beeler,
William Bradley,
George P. Brown,
George R. Burgess,
George T. Campbell,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Caleb W. Logan,
William C. Marshall,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
Thomas W. Varnon,
G. W. Williams, of B—46.

Mr. Hanson moved that the House take a recess until 3 o'clock, P. M., and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
William Beeler,
William Bradley,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Caleb W. Logan,
George W. Mansfield,
Wm. C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of H.
James T. Woodward—61.

Those who voted in the negative, were

William W. Alexander,
John B. Arnold,
William S. Black,
Carlo B. Brittain,
John B. Bruner,
Lucius Desha,
Joseph Dougherty,
John G. Gooch,
William M. Green,
P. B. Hawkins,
Julian N. Phelps,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,

Henry R. D. Coleman,	Randall G. Hays,	John Shawhan,
John W. Cook,	Preston H. Leslie,	William T. Terrill,
Winston J. Davie,	Hiram McElroy,	George W. Williams, of B.
Asbury Dawson,	William B. Murphy,	Marcus L. Williams—27.

Mr. McElroy, from the committee on Circuit Courts, reported a bill to establish a County Court for Union county, which was read the first time.

On motion of Mr. Shawhan,

Ordered, That said bill be laid on the table.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sallee—1. A bill for the benefit of Elizabeth Fenston, of Wayne county.

On motion of Mr. Mitchell—2. A bill to authorize the County Court of Montgomery to levy a tax on the citizens of said county for the purpose of rebuilding their court house.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. Hampton, from the committee appointed to prepare and bring in the same, reported a bill to authorize the running and re-marking the dividing line between Bath and Bourbon, Nicholas and Montgomry, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to Messrs. Hampton, Williams of Bourbon, Mitchell, W. W. Alexander, and Metcalfe.

Mr. W. W. Alexander moved a reconsideration of the vote disagreeing to the bill from the Senate, entitled, an act to organize Courts Courts in the several counties.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	Joel Owsley,
William W. Alexander,	Norvin Green,	Julian N. Phelps,
John B. Arnold,	William M. Green,	William Preston,
Robert A. Athey,	P. B. Hawkins,	Edward C. Purdy,
Carlo B. Brittain,	Randall G. Hays,	Burwell C. Ritter,
George I. Brown,	Lysander Hord,	John Rodman,
John B. Bruner,	Daniel Landes,	C. C. Rogers,
William H. Calvert,	Preston H. Leslie,	John L. Sallee,
Robert H. Campbell,	Joseph H. Lewis,	George W. Silvertooth,
Henry R. D. Coleman,	George W. Mansfield,	Basil G. Smith,
John W. Cook,	Daniel Matthewson,	William T. Terrill,
Winston J. Davie,	Hiram McElroy,	Thomas Todd,

Asbury Dawson,	John S. McFarland,	John Tompson,
Joseph Dougherty,	Strother D. Mitchell,	William T. Ward,
Edgar B. Gaither,	Morton P. Moore,	George W. Williams, of H.
William H. Gardner,	George H. Morrow,	Marcus L. Williams,
Squire Gatliff,	Joel Murphy,	James T. Woodward—53.
Cyrenius W. Gilmore,	Wm. B. Murphy,	

Those who voted in the negative, were

James M. Alexander,	Richard H. Field,	Samuel A. Kingman,
James B. Allen,	Bernard H. Garrett,	Hiram Klette,
R. T. Baker,	Samuel L. Geiger,	Caleb W. Logan,
William Beeler,	John G. Gooch,	James P. Metcalfe,
William S. Black,	Alfred F. Graham,	Benjamin L. Owens,
William Bradley,	William M. Gray,	Thomas W. Riley,
George P. Brown,	Thomas S. Grundy,	Joseph W. Rowlett,
George T. Campbell,	George M. Hampton,	John Shawhan,
Lucius Desha,	Samuel Hanson,	Albert G. Talbott,
Edward F. Dulin,	William Harris,	Jesse S. Taylor,
Alvin Duvall,	Stilwell Heady,	Thomas W. Varnon,
Robert English,	George W. Kavanaugh,	G. W. Williams, of B—36.

Mr. Ward moved a reconsideration of the vote adopting the ryder proposed by him to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ward then withdrew his amendment.

Mr. Davie then moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, which was adopted, viz:

§ 21. That the county judge shall have power to appoint a commissioner, at his discretion, to settle the accounts of any estate, who shall act under oath, and shall have the same fees as the judge should have for the settlement of such accounts: *Provided*, that the judge shall not appoint, as said commissioner, any person who may be designated by any party interested.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	William B. Murphy,
Wm. W. Alexander,	Norvin Green,	Joel Owsley,
Robert A. Athey,	William M. Green,	Julian N. Phelps,
Carlo B. Brittain,	William Harris,	Edward C. Purdy,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
George P. Brown,	Randall G. Hays,	John Rodman,
John B. Bruner,	Lysander Hord,	C. C. Rogers,
William H. Calvert,	Daniel Landes,	John L. Sallee,
Robert H. Campbell,	Preston H. Leslie,	George W. Silvertooth,
Henry R. D. Coleman,	Joseph H. Lewis,	Basil G. Smith,
John W. Cook,	George W. Mansfield,	Wm. T. Terrill,

Winston J. Davie,	Daniel Matthewson,	Thomas Todd,
Asbury Dawson,	Hiram McElroy,	John Tompson,
Joseph Dougherty,	John S. McFarland,	William T. Ward,
Edgar B. Gaither,	Strother D. Mitchell,	G. W. Williams, of H.
William H. Gardner,	Morton P. Moore,	Marcus L. Williams,
Squire Gatliff,	George H. Morrow,	James T. Woodward—53.
Cyrenius W. Gilmore,	Joel Murphy,	

Those who voted in the negative, were

James M. Alexander,	Richard H. Field,	Caleb W. Logan,
James B. Allen,	Bernard H. Garrett,	William C. Marshall,
John B. Arnold,	Samuel L. Geiger,	James P. Metcalfe,
R. T. Baker,	John G. Gooch,	Benjamin L. Owens,
William Beeler,	Alfred F. Graham,	William Preston,
William S. Black,	William M. Gray,	Thomas W. Riley,
William Bradley,	Thomas S. Grundy,	Joseph W. Rowlett,
George R. Burgess,	George M. Hampton,	John Shawhan,
George T. Campbell,	Samuel Hanson,	Albert G. Talbott,
Lucius Desha,	Stilwell Heady,	Jesse S. Taylor,
Edward F. Dulin,	George W. Kavanaugh,	Thomas W. Varnon,
Alvin Duvall,	Samuel A. Kingman,	G. W. Williams, of B—38.
Robert English,	Hiram Klette,	

Resolved, That the title thereof be as aforesaid.

The House then resolved itself into a committee of the whole on the bill to fix the salaries of officers, Mr. Bruner in the chair; and, after some time spent therein, the Speaker resumed the chair, when Mr. Bruner reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

And then the House adjourned.

SATURDAY, MARCH 8, 1851.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to change the place of voting in the 4th district in Shelby county.

An act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved February 21, 1846.

An act for the benefit of Charles C. Kelly, clerk of the Washington Circuit Court.

An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

An act to establish a Police Court in the town of Caseyville.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act for the benefit of Elizabeth C. Flournoy, of McCracken county.

1. Mr. Leslie presented the petition of sundry citizens of Monroe county, praying a change of county districts.

2. Mr. Burgess presented the petition of citizens of District No. 2, in Lawrence county, praying a change in said district.

3. Also, the remonstrance of citizens against the same.

4. Mr. Rogers presented the petition of sundry citizens of the city of Lexington, praying an amendment of the charter of the Savings Institution of said city.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; and the 4th to the committee on the Judiciary.

On motion of Mr. Gilmore,

Leave of absence for five days was granted to Mr. Moore.

The House took up the bill for the benefit of Hial Stephens, which was read the second time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Second Auditor be and he is hereby directed to issue his warrant on the Treasurer in favor of Hial Stephens, of Adair county, for two hundred and seventy-five dollars, it being the amout paid and secured to be paid by the said Stephens, for the apprehension and delivery to the jail of Adair county, of Samuel M. Asbury, charged with committing murder.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative; the constitution requiring a majority of all the members elected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Morton P. Moore,
Robert A. Athey,	Thomas S. Grundy,	George H. Morrow,
R. T. Baker,	George M. Hampton,	Benjamin L. Owens,

George I. Brown,
George P. Brown,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Wm. H. Grainger,
Samuel Hanson,
Stilwell Heady,
Lysander Hord,
George W. Kavanaugh,
Daniel Landes,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Basil G. Smith,
Albert G. Talbott,
Thomas Todd,
Thomas W. Varnon,
G. W. Williams, of H.
Marcus L. Williams—41.

Those who voted in the negative, were

William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Squire Gatliff,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
William M. Green,
Wm. Harris,
Randall G. Hays,
Samuel B. Jesup,
Hiram Klette,
Preston H. Leslie,
Daniel Matthewson,
Hiram McElroy,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
William T. Terrill,
John Tompson,
William T. Ward,
James T. Woodward—39.

Mr. Ward moved a reconsideration of the vote rejecting said bill.

Ordered, That the further consideration of said motion be postponed till Tuesday next.

Mr. Marshall, from the Committee on County Courts, reported a bill to change the time of holding the spring term of the Bracken Circuit Court, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson moved the following resolution, viz:

Resolved, That a law ought to be passed, abolishing the office of President of the Board of Internal Improvement, and making the correspondent change in the organization of said Board; and that the committee on the Judiciary report a bill to that effect, on Monday next, at 10 o'clock, A. M.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Rodman—1. A bill to fix the time of holding the quarterly Courts of the Presiding Judge of the County Courts.

On motion of Mr. Desha—2. A bill to establish voting places in certain districts in Harrison county.

Ordered, That Messrs. Rodman, Kingman, McElroy, McFarland, Hawkins, Ward, Logan, Purdy, Duvall, Graham, Rogers, and Brittain prepare and bring in the first, and Messrs. Payne, Rowlett, Davie, and Williams, of Hancock, the second.

Bills from the Senate of the following titles, viz:

1. An act to change the place of voting in the 5th district, in Nicholas county.

2. An act for the benefit of the children of David and John Hogan.

3. An act to incorporate the Baptist Church of Bedford, Trimble county.

4. An act providing a mode of forfeiture of the charter of the Logan, Todd, and Christian Turnpike Road Company, and the transfer of the interest of the State therein.

5. An act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such Railroad Company as may pass through said counties.

6. An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.

7. An act to amend the charter of the city of Augusta.

8. An act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

9. An act legalizing the proceedings of the Owsley County Court.

10. An act to amend the charter of the Southern Bank of Kentucky.

11. An act to change the place of voting in the 4th district, in Shelby county.

12. An act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved February 21, 1846.

13. An act for the benefit of Charles C. Kelly, Clerk of the Washington Circuit Court.

14. An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

15. An act to establish a Police Court in the town of Caseyville.

16. An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

17. An act for the benefit of Elizabeth C. Flournoy, of McCracken county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 11th were referred to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 2d, 3d, 4th, 6th, 7th, 9th, 15th, 16th, and 17th to the committee on the Ju-

diciary; the 5th and 8th to the committee on Internal Improvement; the 10th to the committee on Banks; and the 12th, 13th, and 14th to the committee on Ways and Means.

Ordered, That the committee on Banks report the 10th bill to this House on Tuesday next, at 10 o'clock, A. M.

A message was received from the Senate, announcing that they had passed a bill from the House, entitled, an act to change the time of holding the spring term of the Bracken Circuit Court.

On motion of Mr. Hanson,

Ordered, That a message be sent to the Senate, to ask leave to withdraw the report of this House, announcing their disagreement to a bill from the Senate, entitled, an act for the benefit of John Goodin.

After a short time the messenger returned with said bill.

An engrossed bill, entitled an act regulating the distribution and re-investment of the income of the funds set apart for common school purposes, was read the third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the superintendent of public Instruction, in distributing the income of the various funds set apart for common schools, shall take, as the basis of distribution, the number of children between the ages of five and sixteen years, as reported by the assessors of tax to the office of the second auditor. He shall make his annual draft in favor of the commissioners of the several counties, in proportion to the number of children of the requisite age, in the school districts in which schools are taught and annually reported to the superintendent, according to law, while the proportion in favor of the children in the districts not so reporting, shall be placed in the treasury, to the credit of the several counties in which are situated the non-reporting districts, and shall be invested for the exclusive benefit of each of such counties, in proportion to the number of children not so reported in each, as hereinafter directed.

§ 2. That the board of education shall be and they are hereby authorized and directed to invest, as permanent funds, in the name of said board, from year to year, the residues remaining in the treasury, for the use of the several counties to whose credit such residues are placed in the treasury, at the time of the annual draft; and it shall be the duty of said board to invest said residues in the bonds of the state of Kentucky, now outstanding, or which may be outstanding at the time of investment, whenever such investment can be made on as good terms as other equally safe and profitable investments, the preference being always given to said bonds in said investments; and, to enable the board of education to obtain and invest said residues, the second auditor is directed, upon the requisition of said board of education, to draw his warrant therefor.

§ 3. That the interest or dividends which may arise from said re-investment, from year to year, shall, at the time of the annual draft of the superintendent, and according to the proportion of the interest of each county in said investment, and in addition to the annual appropriation of the income of the common school fund, be distributed to the

commissioners of common schools in each county, or be re-invested for the benefit and use of such county, in the same manner as the other income of common schools is directed by this act to be re-invested.

§ 4. That all laws directing the distribution of the income of the various funds set apart for common schools, by virtue of which the distribution to cities, as such, is made upon a different principle from that upon which, by this act, the distribution to counties is directed to be made, are hereby repealed; and the superintendent is directed to distribute, for the benefit of the children residing in cities, their proportion of the school fund, as heretofore; but the residues, if any, shall be re-invested for the benefit of such county, including such city, not regarding in any wise the existence of chartered city privileges, in the operation of the common school system.

§ 5. All laws, or parts of laws, that direct any other disposition or division of the common school fund than is provided for in this act, are hereby repealed.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Matthewson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
R. T. Baker,
William Beeler,
Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John Shawhan,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—77.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel A. Kingman,	George W. Silvertooth,
Robert A. Athey,	Thomas Y. Payne,	Albert G. Talbott,
George P. Brown,	C. C. Rogers,	Wm. T. Terrill—11.
Samuel L. Geiger,	John L. Sallee,	

Resolved, That the title thereof be as aforesaid.

The House then took up for consideration the bill to abolish the office of Second Auditor.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to establish the office of Second Auditor, be and the same is hereby repealed, and that the First Auditor shall perform all the duties now performed by First and Second Auditors, under the existing laws—this act to go into effect on the 1st day of September, 1851.

Mr. N. Green moved to refer said bill to the committee on Ways and Means, with instructions to report a substitute on Tuesday morning, at half past 10 o'clock, A. M., providing for the organization of the office of Auditor of Public Accounts, as contemplated in the Constitution, and the transfer to said office of all the duties now assigned by law to both the offices of First and Second Auditors, after the 1st Monday in June, 1851.

On motion of Mr. Hanson,

Ordered, That said motion be laid on the table.

Mr. T. Todd moved a reconsideration of the vote laying said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Green and Gray, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Lysander Hord,	John Rodman,
William W. Alexander,	George W. Kavanaugh,	C. C. Rogers,
Robert A. Athey,	Samuel A. Kingman,	Joseph W. Rowlett,
John B. Bruner,	Preston H. Leslie,	Thomas Todd,
Robert H. Campbell,	Joseph H. Lewis,	Thomas W. Varnon,
Richard H. Field,	John S. McFarland,	William T. Ward,
William H. Gardner,	Strother D. Mitchell,	G. W. Williams, of H.
Samuel L. Geiger,	Morton P. Moore,	James T. Woodward—25.
Norvin Green,		

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	James P. Metcalfe,
R. T. Baker,	Squire Gatliff,	George H. Morrow,
Wm. Beeler,	Cyrenius W. Gilmore,	Joel Murphy,

William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Hiram Klette,
Daniel Landes,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
George W. Williams, of B.
Marcus L. Williams—61.

Mr. McFarland moved to amend said bill by adding thereto the following, viz:

That the Auditor elected under the provisions of the constitution, be allowed a salary of two thousand dollars per annum, to be paid quarterly; and that said Auditor be allowed a first clerk, with a salary of eight hundred dollars per annum, and four assistant clerks, at a salary of five hundred dollars, each, per annum.

Mr. N. Green moved to amend said amendment by striking out the words "two thousand," and insert the words "fifteen hundred."

Mr. Payne moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
John W. Cook,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Samuel L. Geiger,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow
Joel Murphy,
William B. Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—52.

Those who voted in the negative, were

John B. Arnold,
William S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Benjamin L. Owens,
Joel Owsley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John Tompson—37.

Mr. Shawhan moved to lay the amendment of Mr. McFarland on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. N. Green and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
George W. Mansfield,
Hiram McElroy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John Tompson,
Marcus L. Williams—41.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
John W. Cook,
Edward F. Dulin,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
Wm. C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
William B. Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,

Alvin Duvall,	Strother D. Mitchell,	George W. Williams, of B.
Robert English,	Morton P. Moore,	G. W. Williams, of H.
Samuel L. Geiger,	George H. Morrow,	James T. Woodward—55.
Samuel Hanson,	Joel Murphy,	

Mr. Kavanaugh moved to amend said bill by striking out the first section, and inserting in lieu thereof the following, viz:

§ 1. That any law establishing the office of Second Auditor, is hereby repealed, and all the duties now required to be performed by the First and Second Auditors, shall be performed and discharged by the Auditor of Public Accounts, to be elected in August next, under the provisions of the constitution, and subject to the responsibilities, in like cases, applicable to the First and Second Auditors, respectively, as now prescribed by law.

§ 2. This act shall go into effect as soon as the Auditor of Public Accounts, to be elected in August next, shall have qualified and entered upon the discharge of his official duties, as such.

Mr. Kavanaugh moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. McFarland, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davie and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	P. B. Hawkins,	Thomas Y. Payne,
James M. Alexander,	Randall G. Hays,	William Preston,
William W. Alexander,	Lysander Hord,	Edward C. Purdy,
Robert A. Athey,	George W. Kavanaugh,	Thomas W. Riley,
R. T. Baker,	Samuel A. Kingman,	Burwell C. Ritter,
George I. Brown,	Hiram Klette,	John Rodman,
George P. Brown,	Joseph H. Lewis,	C. C. Rogers,
John B. Bruner,	Caleb W. Logan,	Albert G. Talbott,
George R. Burgess,	William C. Marshall,	Jesse S. Taylor,
Wm. H. Calvert,	Daniel Matthewson,	Thomas Todd,
Robert H. Campbell,	John S. McFarland,	Thomas W. Varnon,
John W. Cook,	James P. Metcalfe,	William T. Ward,
Edward F. Dulin,	Strother D. Mitchell,	G. W. Williams, of B.
Alvin Duvall,	George H. Morrow,	G. W. Williams, of H.
Robert English,	Joel Murphy,	James T. Woodward—47.
Samuel Hanson,	William B. Murphy,	

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	Preston H. Leslie,
John B. Arnold,	Squire Gatliff,	George W. Mansfield,
Wm. Beeler,	Samuel L. Geiger,	Hiram McElroy,
William S. Black,	Cyrenius W. Gilmore,	Benjamin L. Owens,
William Bradley,	John G. Gooch,	Joel Owsley,
Carlo B. Brittain,	Alfred F. Graham,	Julian N. Phelps,
George T. Campbell,	William M. Gray,	Joseph W. Rowlett,

Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John Tompson,
Marcus L. Williams—44.

The question was then taken on the adoption of the amendment proposed by Mr. Kavanaugh, and it was decided in the affirmative.

The question was then taken on engrossing and reading said bill a third time, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
John W. Cook,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Wm. H. Gardner,
Samuel L. Geiger,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Caleb W. Logan,
Wm. C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
George W. Silvertooth,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—50.

Those who voted in the negative, were

James B. Allen,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
George M. Hampton,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Hiram McElroy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
William T. Terrill,
John Tompson—39.

Mr. Rogers moved that the House take a recess until 3 o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Asbury Dawson,	George H. Morrow,
William Beeler,	Joseph Dougherty,	Joel Owsley,
William S. Black,	Richard H. Field,	Julian N. Phelps,
William Bradley,	Samuel L. Geiger,	C. C. Rogers,
Carlo B. Brittain,	George M. Hampton,	Joseph W. Rowlett,
George R. Burgess,	Stilwell Heady,	John L. Sallee,
William H. Calvert,	George W. Mansfield,	George W. Silvertooth,
George T. Campbell,	Daniel Matthewson,	John Tompson,
Henry R. D. Coleman,	Hiram McElroy,	James T. Woodward—28.
Winston J. Davie,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Strother D. Mitchell,
James M. Alexander,	William M. Gray,	Joel Murphy,
William W. Alexander,	Norvin Green,	Wm. B. Murphy,
James B. Allen,	William M. Green,	Benjamin L. Owens,
Robert A. Athey,	Thomas S. Grundy,	Thomas Y. Payne,
R. T. Baker,	Samuel Hanson,	William Preston,
George I. Brown,	William Harris,	Edward C. Purdy,
George P. Brown,	P. B. Hawkins,	Thomas W. Riley,
John B. Bruner,	Randall G. Hays,	Burwell C. Ritter,
Robert H. Campbell,	Lysander Hord,	John Rodman,
John W. Cook,	Samuel B. Jesup,	John Shawhan,
Lucius Desha,	George W. Kavanaugh,	Basil G. Smith,
Edward F. Dulin,	Samuel A. Kingman,	Albert G. Talbott,
Alvin Duvall,	Hiram Klette,	Jesse S. Taylor,
Robert English,	Daniel Landes,	William T. Terrill,
Edgar B. Gaither,	Preston H. Leslie,	Thomas Todd,
William H. Gardner,	Joseph H. Lewis,	Thomas W. Varnon,
Bernard H. Garrett,	Caleb W. Logan,	William T. Ward,
Squire Gatliff,	William C. Marshall,	G. W. Williams, of B.
Cyrenius W. Gilmore,	John S. McFarland,	George W. Williams, of H.
John G. Gooch,	James P. Metcalfe,	Marcus L. Williams—63.

Mr. McFarland moved that said bill have its third reading on Tuesday next, at 1 o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the time of holding the spring term of the Bracken Circuit Court.

An act to incorporate the Western Coal and Manufacturing Company.

An act to incorporate the Hancock Mining Company.

An act to prevent the destruction of fish in Barebone Creek, in Trimble county.

An act for the benefit of Riley McGuire.

An act to incorporate the Carrollton Library Society.

An act in relation to Flint Island School District, No. 5, in Breckinridge county.

An act to incorporate a Turnpike Road from Germantown to Gault's Mill, on the North Fork, in Mason county.

An act to amend an act, entitled, an act to incorporate the Literary Institution of St. Magdalen, approved December 19, 1839.

An act to amend the charter of the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

An act to amend an act, to revive and amend an act to incorporate the Stanford and Lancaster Turnpike Road Company, approved March 7, 1850.

An act authorizing the election of officers of the Glasgow and Scottsville Turnpike Road.

An act to extend the duty of the Commissioners of Tax.

An act to create the office of Police Judge, in the town of Clinton.

An act to incorporate the Columbus Masonic Seminary, in Hickman county.

An act to incorporate the University of Paducah.

An act to incorporate the Erodelphian Society of Cumberland College.

An act giving further time to the citizens of Whitley county to return plats of surveys made on lands in said county.

An act to incorporate the town of Mountsterling.

An act to apportion representation.

And bills which originated in the Senate, of the following titles, viz:

An act in relation to the Internal Improvement Fund of McCracken county.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets in Portland to be closed.

An act to authorize the sale of the Parsonage of the Glasgow Circuit of the Methodist Episcopal Church, South.

An act for the benefit of the Danville and Hustonville Turnpike Road Company.

An act to amend an act to incorporate the Shelbyville and Taylorsville Turnpike Road Company.

An act for the benefit of the Sheriff of Lawrence county.

An act to amend an act, entitled, an act to reduce into one the several acts concerning the town of Portland, approved March 2, 1850.

An act for the benefit of the Sheriff of Boone county.

An act to incorporate Blandville Lodge, No. 142, of Free and Accepted Masons.

An act to amend the charter of the Clear Creek Turnpike Road, of Shelby county.

An act to incorporate Pikeville Division, No. 79, Sons of Temperance.

An act to amend an act, entitled, an act to incorporate the Linden Grove Cemetery Company, approved March 5, 1850.

An act for the benefit of Joseph A. Vance.

An act to incorporate the Breckinridge Savings Bank.

An act to incorporate the Louisville and Mississippi, or Ohio River Railroad Company.

An act further to provide for the collection of tolls on Kentucky, Green, and Barren rivers.

An act to incorporate the Peacock Coal Mining Company, of Owsley county.

An act to incorporate Union College, in the town of Morganfield, in Union county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

A message was received from the Governor, by Mr. Smith, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act to incorporate the Kentucky Savings Bank, in Louisville.

An act to change Magistrates' and Constables' Districts, No. 4, in Green; No. 1, in Crittenden, and the Lewisburg and Maysville Districts, in Mason county.

An act to amend the road law in Pendleton county.

An act to incorporate Wildey Lodge, No. 40, of I. O. O. F.

An act changing the spring term of the Calloway and Graves Circuit Courts.

An act to surrender to the counties through which the Owingsville and Big Sandy Turnpike Road runs, the control of said road, and declare the same a county road.

An act for the benefit of James Clark, late Sheriff of Casey county.

An act to establish District, No. 7, in the county of Laurel, and for other purposes.

An act to encourage the construction of Plank, Turnpike, and Railroads in Daviess couunty.

An act to incorporate the Æolian Building Company, of the town of Bowlinggreen.

An act to incorporate Green River Lodge, No. 54, I. O. O. F., of Hopkinsville.

An act to establish the office of Town Marshal, in the town of Independence, in the county of Kenton.

An act to incorporate Hickman Lodge, No. 131, Free and Accepted Masons.

An act for the benefit of William Abner, of Owsley county.

An act for the benefit of the Portland Dry Dock and Insurance Company.

An act to amend an act incorporating the Crab Orchard and Crew's Knob Turnpike Road Company, approved March 6, 1850.

An act to repeal, in part, the law establishing the road from London, by way of Williamsburg, to the Tennessee line.

An act for the benefit of the Sheriff of Bullitt county.

An act for the benefit of the Sheriffs of Hopkins and Logan counties.

An act to change the time of holding the Court of Claims, in Fayette county.

An act amending an act for the benefit of Mary Ridge and Maria Davenport, approved February 9, 1850.

An act to amend the charter of East Maysville, in Mason county.

An act to extend the corporate limits of the town of Newport.

Approved February 25, 1851.

An act to incorporate the Union Hotel Company, in Louisville.

Approved February 26, 1851.

An act to legalize the appointment of Assessors of Tax by the County Court of Daviess, at their February term, 1851.

An act authorizing the sale of certain streets and an alley in the town of Russellville.

An act to incorporate the Georgetown Chapter, No. 13, of Free and Accepted Masons, and to amend an act incorporating Mount Vernon Lodge, No. 14.

An act to incorporate Sligo Division, No. 18, Sons of Temperance, in Henry county.

An act to incorporate the town of Williamsburg, in Whitley county.

An act incorporating the United Baptist Church in Taylor county.

An act to incorporate the Medico Chirurgical Society of the Kentucky School of Medicine, in the city of Louisville.

An act to incorporate the Hancock Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Paris, Winchester, and Kentucky River Turnpike Road Company, &c., approved February 25, 1848.

An act for the benefit of John Clay, of Nicholas county.

An act to regulate the commission of Sheriffs on the collection of taxes imposed by County Courts, on the *ad valorem* principle.

An act to amend the Common School laws.

An act to extend the limits of the town of Shelbyville.

An act to change a part of the State road from Canton to Hickman.

An act to incorporate the Louisville Paper Mill.

An act to incorporate Montgomery Lodge, No. 18, of the Independent Order of Odd Fellows.

An act authorizing the sale of certain streets in the town of Glasgow.

An act to incorporate the Cumberland Presbyterian Church, in the town of Paducah.

An act for the benefit of Alfred F. Gowdy, Clerk of the Taylor County Court.

An act authorizing the Trustees of Winchester to sell the public spring lot, in said town.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act relative to holding elections in certain districts in Owen and Mason counties.

An act to charter the Louisville Homœpathic College of Medicine.

An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport.

An act to incorporate Russellville Division, No. 51, Sons of Temperance.

An act to incorporate Hobson Lodge, No. 63, I. O. O. F.

An act to authorize the Trustees of Winchester to sell the stray-pen, and prescribing the duties of the Clarke County Court in regard to strays.

An act to amend an act appointing Trustees for Moscow Seminary, in Hickman county.

An act to change the place of voting in the 4th Magistrates' district, in Cumberland county.

An act in relation to Justices' and Constables' Districts in Fleming county. Approved March 3, 1851.

An act allowing additional Justices' and Constables' districts in Hardin county. Approved March 4, 1851.

At half past one o'clock, P. M., Mr. T. Todd moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Logan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Wm. W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William B. Murphy,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams—51.

Those who voted in the negative, were

James B. Allen,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Squire Gatliff,
Samuel L. Geiger,
William M. Gray,
William M. Green,
George M. Hampton,
William Harris,
Stilwell Heady,
Samuel A. Kingman,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
John Tompson,
G. W. Williams, of B.
James T. Woodward—38.

And then the House adjourned.

MONDAY, MARCH 10, 1851.

1. Mr. Field presented the petition of citizens of Bullitt county, concerning School Districts in said county.

2. Mr. Gooch presented the petition of citizens of Muhlenburg county, praying a change in County Districts.

3. Mr. M. L. Williams presented the petition of citizens of Greenup county, in relation to School District, No. 10, in said county.

4. Mr. Morrow presented the petition of citizens of Lovelaceville, asking an amendment of the charter of said town.

5. Mr. Varnon presented the petition of citizens of Lincoln county, requiring the Sheriff of said county to give security for the collection of the county tax.

6. Mr. Metcalfe presented the remonstrance of citizens of Nicholas county, against any change in the Justices' and Constables' Districts in said county.

Which were received, the reading dispensed with, and referred—the first and 3d to the committee on Education; the 2d and 6th to Messrs. Payne, Rowlett, Davie, and Williams of Hancock; the 4th to the committee on Circuit Courts; and the 5th to the committee on the Judiciary.

Mr. Bradley, from the committee on Propositions and Grievances, to whom was referred the petition of citizens of Bourbon county, against the capture of fish, except by hook and line; the petition of citizens of Morgan county, praying that R. S. Carter be compelled to build a slope to his mill-dam; the petition of Orrin Percival; and the petition of citizens of Bullitt county, against running deer with hounds; asked to be discharged from the further consideration of the same, which was granted.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House to a bill from the Senate, entitled, an act to organize County Courts in the several counties.

That they had passed bills from this House of the following titles, viz:

An act providing for the election of Public Printer.

An act to incorporate the town of New Castle.

An act to amend the charter of the town of Paducah.

An act authorizing the County Courts of sundry counties to subscribe stock in railroad companies.

An act for the benefit of the National Guards of the city of Louisville.

That they had passed bills of the following titles, viz:

An act to incorporate the Deposit Bank of Danville.

An act for the benefit of John G. Holloway.

An act in relation to the Goose Creek Turnpike Road, in Knox and Clay counties.

An act to incorporate the Springdale and Tollsburg Turnpike Road Company, in Mason and Lewis counties.

An act to establish the place of voting in the Keysburg District, in Logan county.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act authorizing Christian county to be divided into not less than seven, nor more than eleven districts, for the election of Justices of the Peace and Constables. Approved February 27, 1851.

An act in relation to the city of Newport.

Approved February 28, 1851.

An act to amend an act, entitled, an act to incorporate the Hopkinsville Fire, Life, and Marine Insurance Company.

An act to amend the charter of the Taylor County Turnpike Road Company.

An act to incorporate the Mayfield Presbyterial Seminary.

An act for the benefit of Mrs. Ann Ellis, of Todd county.

An act to change the boundary lines of the town of Harrodsburg, and to increase the town tax.

An act to provide for the appointment of Circuit Judges, *pro tem.*

An act to amend an act, entitled, an act to incorporate the Columbus Fire, Life, and Marine Insurance Company.

An act to incorporate the St. Aloysius College of Louisville.

An act to incorporate the Springfield, Maxville, and Harrodsburg Turnpike Road Company.

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Road Company.

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

An act to change the place of voting from Mason Gardner's to John F. Blandford's, in Marion county.

An act to incorporate the Lexington, Owingsville, and Big Sandy Railroad Company.

An act to incorporate the Narrows Bridge Company.

An act to authorize the town of Paducah to subscribe stock in a Plank Road, and the Duck River Slackwater Navigation Company.

An act to incorporate the Grand Temple of Honor of the State of Kentucky, and the subordinate Temples.

Approved March 3, 1851.

An act allowing an additional Magistrates' and Constable's District in Scott county.

An act to amend an act, entitled, an act to charter the Bowlinggreen and Tennessee Railroad Company. Approved March 7, 1851.

Mr. Purdy, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Abraham Boyd, of Trigg county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill concerning certain Magistrates' Districts in Madison county.

By the committee on Claims—2. A bill for the benefit of Green Adams.

By same—3. A bill for the benefit of John M. Gallaher.

By the committee on the Judiciary—4. A bill for the benefit of the Sheriff of Rockcastle county.

By same—5. A bill further to define the powers of the Trustees of the town of Winchester, and to extend the privileges of its citizens.

By same—6. A bill regulating the duties of the Clarke County Court, and appointment of the County Treasurer.

By same—7. A bill to amend the acts incorporating the Paris, Winchester and Kentucky River Turnpike Road Company, and to authorize a transfer to the same of the Winchester and Kentucky River Turnpike Road Campany's effects, &c.

By the committee on Ways and Means—8. A bill for the benefit of the Sheriff of Whitley county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, reported a bill to abolish the office of President of the Board of Internal Improvement,

and change the organization of said Board; which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Ward moved to amend said bill by striking out the fourth section.

Mr. A. G. Talbott moved to refer said bill and amendment to a committee of ten, one from each Congressional District, with instructions to report on Thursday, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	Benjamin L. Owens,
James M. Alexander,	Thomas S. Grundy,	Edward C. Purdy,
Wm. W. Alexander,	George M. Hampton,	John Rodman,
R. T. Baker,	P. B. Hawkins,	C. C. Rogers,
William Beeler,	Randall G. Hays,	Joseph W. Rowlett,
George I. Brown,	Lysander Hord,	John L. Sallee,
George P. Brown,	Samuel B. Jesup,	Albert G. Talbott,
John B. Bruner,	Samuel A. Kingman,	Jesse S. Taylor,
George R. Burgess,	Preston H. Leslie,	Thomas Todd,
Robert H. Campbell,	Joseph H. Lewis,	William T. Ward,
Alvin Duvall,	Caleb W. Logan,	G. W. Williams, of B.
Squire Gatliff,	William C. Marshall,	G. W. Williams, of H.
Samuel L. Geiger,	John S. McFarland,	Marcus L. Williams,
Alfred F. Graham,	Strother D. Mitchell,	Edmund Wooldridge—42.

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	George H. Morrow,
William S. Black,	Cyrenius W. Gilmore,	Joel Murphy,
William Bradley,	Wm. M. Gray,	Joel Owsley,
Carlo B. Brittain,	Norvin Green,	Julian N. Phelps,
George T. Campbell,	William M. Green,	Thomas W. Riley,
Henry R. D. Coleman,	Samuel Hanson,	Burwell C. Ritter,
John W. Cook,	Wm. Harris,	John Shawhan,
Winston J. Davie,	Stilwell Heady,	George W. Silvertooth,
Asbury Dawson,	Daniel Landes,	Basil G. Smith,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Edward F. Dulin,	Daniel Matthewson,	John Tompson,
Robert English,	Hiram McElroy,	Thomas W. Varnon,
Richard H. Field,	James P. Metcalfe,	James T. Woodward—39.

Whereupon Messrs. A. G. Talbott, McElroy, Williams, of Hancock, Hawkins, Mitchell, Rogers, Grundy, Metcalfe, Rodman, and Garrett were appointed the committee.

Mr. Williams, of Hancock, moved the following resolution, viz:

Resolved, That the Public Printer print 1,500 copies of an act, entitled, "an act to organize County Courts in the several counties," for the use of the members of this House.

Which was adopted.

A bill from the Senate, entitled, an act to establish the place of voting in the Keysburg District, in Logan county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hampton, from the committee to whom was referred the bill to authorize the running and re-marking the dividing line between Bath and Bourbon, and Nicholas and Montgomery, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read, "an act to authorize the running and re-marking the dividing line between Bath and Bourbon."

The House again resumed the consideration of the bill to fix the salaries of officers.

Mr. Baker moved to amend said bill by striking out, as the salary of the Governor, the words "two thousand," and inserting "two thousand five hundred."

Mr. Arnold moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Landes, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	John G. Gooch,	Joel Murphy,
John B. Arnold,	Alfred F. Graham,	Benjamin L. Owens,
William Beeler,	William M. Gray,	Joel Owsley,
Wm. S. Black,	Norvin Green,	Julian N. Phelps,
Carlo B. Brittain,	William M. Green,	Joseph W. Rowlett,
George T. Campbell,	George M. Hampton,	John L. Sallee,
Henry R. D. Coleman,	Wm. Harris,	John Shawhan,
John W. Cook,	Stilwell Heady,	George W. Silvertooth,
Asbury Dawson,	Preston H. Leslie,	Basil G. Smith,

Joseph Dougherty, George W. Mansfield, Albert G. Talbott,
Richard H. Field, Daniel Matthewson, Wm. T. Terrill,
Squire Gatliff, Hiram McElroy, John Tompson—38.
Cyrenius W. Gilmore, George H. Morrow,

Those who voted in the negative, were

Mr. Speaker, (Johnston,) Samuel L. Geiger, William B. Murphy,
James M. Alexander, William H. Grainger, William Preston,
William W. Alexander, Thomas S. Grundy, Edward C. Purdy,
Robert A. Athey, Samuel Hanson, Thomas W. Riley,
R. T. Baker, P. B. Hawkins, Burwell C. Ritter,
Wm. Bradley, Randall G. Hays, John Rodman,
George I. Brown, Lysander Hord, C. C. Rogers,
George P. Brown, Samuel B. Jesup, Jesse S. Taylor,
John B. Bruner, Samuel A. Kingman, Thomas Todd,
George R. Burgess, Hiram Klette, Thomas W. Varnon,
Robert H. Campbell, Daniel Landes, William T. Ward,
Winston J. Davie, Joseph H. Lewis, G. W. Williams, of B.
Edward F. Dulin, Caleb W. Logan, G. W. Williams, of H.
Alvin Duvall, William C. Marshall, Marcus L. Williams,
Robert English, John S. McFarland, James T. Woodward,
Edgar B. Gaither, James P. Metcalfe, Edmund Wooldridge—50.
Bernard H. Garrett, Strother D. Mitchell,

The question was then taken on the amendment proposed by Mr. Baker, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graham and Preston, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,) William H. Grainger, Wm. Preston,
James M. Alexander, Samuel Hanson, Edward C. Purdy,
William W. Alexander, P. B. Hawkins, Thomas W. Riley,
Robert A. Athey, Randall G. Hays, Burwell C. Ritter,
R. T. Baker, Lysander Hord, John Rodman,
Wm. Bradley, Samuel B. Jesup, C. C. Rogers,
George I. Brown, Samuel A. Kingman, Jesse S. Taylor,
George P. Brown, Hiram Klette, Thomas Todd,
John B. Bruner, Joseph H. Lewis, Thomas W. Varnon,
George R. Burgess, Caleb W. Logan, William T. Ward,
Robert H. Campbell, William C. Marshall, George W. Williams, of B.
Edward F. Dulin, John S. McFarland, G. W. Williams, of H.
Alvin Duvall, James P. Metcalfe, Marcus L. Williams,
Robert English, Strother D. Mitchell, James T. Woodward,
Bernard H. Garrett, Wm. B. Murphy, Edmund Wooldridge—46.
Samuel L. Geiger,

Those who voted in the negative, were

James B. Allen, Cyrenius W. Gilmore, Hiram McElroy,
John B. Arnold, John G. Gooch, George H. Morrow,
Wm. Beeler, Alfred F. Graham, Joel Murphy,
William S. Black, William M. Gray, Benjamin L. Owens,
Carlo B. Brittain, Norvin Green, Joel Owsley,

George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Stilwell Heady,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Julian N. Phelps,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson—42.

Mr. Wooldridge moved to amend said bill by striking out, as the salary of the Treasurer, the words "one thousand," and insert "fifteen hundred."

Mr. Leslie called for a division of the question.

The question was first taken on striking out the words "one thousand," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
William H. Grainger,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—56.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
Norvin Green,
William M. Green,
George M. Hampton,
William Harris,
Stilwell Heady,
Preston H. Leslie,
George W. Mansfield,
Hiram McElroy,
George H. Morrow
Benjamin L. Owens,
Joel Owsley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
William T. Terrill,
John Tompson—33.

The question was then taken on filling the blank with "fifteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Tompson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	William B. Murphy,
James M. Alexander,	Samuel L. Geiger,	William Preston,
William W. Alexander,	Alfred F. Graham,	Edward C. Purdy,
Robert A. Athey,	William H. Grainger,	Thomas W. Riley,
R. T. Baker,	Samuel Hanson,	John Rodman,
George I. Brown,	Randall G. Hays,	C. C. Rogers,
George P. Brown,	Lysander Hord,	Jesse S. Taylor,
John B. Bruner,	Samuel A. Kingman,	Thomas Todd,
George R. Burgess,	Hiram Klette,	Thomas W. Varnon,
Robert H. Campbell,	Joseph H. Lewis,	William T. Ward,
Alexander P. Churchill,	Caleb W. Logan,	George W. Williams, of B.
Winston J. Davie,	Wm. C. Marshall,	G. W. Williams, of H.
Edward F. Dulin,	John S. McFarland,	Marcus L. Williams,
Alvin Duvall,	James P. Metcalfe,	James T. Woodward,
Robert English,	Strother D. Mitchell,	Edmund Wooldridge—45.

Those who voted in the negative, were

James B. Allen,	Cyrenius W. Gilmore,	Hiram McElroy,
John B. Arnold,	John G. Gooch,	George H. Morrow,
William Beeler,	Wm. M. Gray,	Joel Murphy,
William S. Black,	Norvin Green,	Benjamin L. Owens,
William Bradley,	Wm. M. Green,	Joel Owsley,
Carlo B. Brittain,	Thomas S. Grundy,	Julian N. Phelps,
George T. Campbell,	George M. Hampton,	Burwell C. Ritter,
Henry R. D. Coleman,	William Harris,	Joseph W. Rowlett,
John W. Cook,	P. B. Hawkins,	John L. Sallee,
Asbury Dawson,	Stilwell Heady,	John Shawhan,
Joseph Dougherty,	Samuel B. Jesup,	George W. Silvertooth,
Richard H. Field,	Daniel Landes,	Basil G. Smith,
Edgar B. Gaither,	Preston H. Leslie,	Albert G. Talbott,
Bernard H. Garrett,	George W. Mansfield,	William T. Terrill,
Squire Gatliff,	Daniel Matthewson,	John Tompson—45.

Mr. Ward moved to amend said bill by filling the blank with "fourteen hundred."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Phelps, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	William Preston,
William W. Alexander,	William H. Grainger,	Edward C. Purdy,
Robert A. Athey,	Samuel Hanson,	Thomas W. Riley,
R. T. Baker,	P. B. Hawkins,	John Rodman,
George I. Brown,	Randall G. Hays,	C. C. Rogers,

John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Robert English,
William H. Gardner,
Samuel L. Geiger,
Lysander Hord,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William B. Murphy,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—44.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Julian N. Phelps,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson—47.

At 6 o'clock, P. M., Mr. Rogers moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
Caleb W. Logan,
Wm. C. Marshall,
John S. McFarland,
James P. Metcalfe,
William B. Murphy,
Benjamin L. Owens,
Wm. Preston,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Basil G. Smith,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—47.

Those who voted in the negative, were

James B. Allen,	Norvin Green,	Joel Owsley,
John B. Arnold,	William M. Green,	Julian N. Phelps,
William Beeler,	George M. Hampton,	Edward C. Purdy,
William S. Black,	William Harris,	Burwell C. Ritter,
William Bradley,	Stilwell Heady,	Joseph W. Rowlett,
George T. Campbell,	Samuel B. Jesup,	John L. Sallee,
Henry R. D. Coleman,	Samuel A. Kingman,	John Shawhan,
John W. Cook,	Preston H. Leslie,	Albert G. Talbott,
Winston J. Davie,	George W. Mansfield,	William T. Terrill,
Asbury Dawson,	Daniel Matthewson,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	Thomas W. Varnon,
Robert English,	Strother D. Mitchell,	George W. Williams, of B.
Richard H. Field,	George H. Morrow,	Marcus L. Williams,
Wm. H. Gardner,	Joel Murphy,	James T. Woodward—43.
Samuel L. Geiger,		

And then the House adjourned.

TUESDAY, MARCH 11, 1851.

1. Mr. N. Green presented the petition of C. M. Matthews, as attorney of Ann S. Boon, praying the sale of real estate.

2. Mr. Cook presented the petition of citizens of district, No. 5, in Graves county, for election of Justices and a Constable, praying a division of said district.

3. Mr. Gaither presented the petition of William Cheek, of Cumberland county, praying the passage of an act for the benefit of William Bragg, late teacher in School district, No. 13, in said county.

4. Mr. Sallee presented the petition of citizens of Wayne county, praying that the Constables elected in districts, Nos. 1 and 3, in said county, may have the right to appoint deputies to act for them.

5. Mr. Cook presented the petition of Henry Scofield, and others, citizens of Graves county, praying that said Scofield may trade in spirituous liquors without obtaining license.

6. Mr. Athey presented the petition of Alexander E. Prewitt, of Lexington, praying that School district, No. 12, in Fayette county, may receive pay for two years' teaching in said county.

7. Mr. T. Todd presented the petition of citizens of Shelby county, praying the establishment of an additional Magistrates' and Constable's district in said county.

8. Mr. Arnold presented the petition of William Fletcher, of Garrard county, praying compensation for expenses incurred in the sickness, death, and burial of a free negro woman.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on the Judiciary; the 2d and 7th to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 3d and 6th to the committee on Education; the 5th to the committee on Ways and Means; and the 8th to the committee on Propositions and Grievances.

A message was received from the Senate, announcing their concurrence in an amendment of this House, to a bill from the Senate, entitled, an act authorizing the construction of a mill-dam across Pond river.

That they had passed bills from this House of the following titles, viz:

An act to establish the town of Beatty, in the county of Owsley.

An act to change the corporate limits of the town of Moscow, in Hickman county.

An act further to regulate the town of Bowlinggreen.

An act to extend the limits of the town of West Liberty.

An act changing the boundary lines of District, No. 8, in Carter county.

An act to establish a Police Judge in the town of Carrollton.

An act to authorize the Trustees of Winchester to reduce the width of Main cross street in said town.

An act to incorporate a Turnpike Road from Germantown to Thompson's Ford, on the North Fork, in Bracken county.

An act for the benefit of George Stivers and William Woodcock.

An act concerning the Police Judge of the town of Hawesville.

An act for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

An act to amend the act establishing the Police Court of Flemingsburg, approved January 21, 1851.

An act to establish the Police Court of Mount Carmel.

An act to incorporate the Board of Trustees of the town of Woodsonville.

An act to establish the Police Court of Poplar Plains.

An act authorizing the Winchester and Kentucky River Turnpike Road Company to erect gates on certain conditions.

An act to include the house and lot of Arthur Smith within the town of Cadiz.

An act extending the powers of the Mayor of the city of Maysville.

An act to repeal an act to establish a Police Court in the town of Mount Vernon.

An act to incorporate Grant Lodge, No. 85, of Free and Accepted Masons.

An act for the benefit of the Sheriffs of Lewis and Mason counties.

An act to authorize the Trustees of the town of Owenton to convey town lots.

An act to give additional Commissioners to the Mountsterling and Jeffersonville Turnpike Road Company.

An act to amend the charter of the North Middletown, Mount Ida, and Mountsterling Turnpike Road Company.

An act to incorporate the Versailles Joint Stock Building Company.

An act repealing an act, approved January 21, 1851, in regard to Three Mile creek, in Lawrence county, and declaring said creek navigable.

An act to incorporate Owen Division, No. 220, Sons of Temperance, in Owenton, Owen county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act in relation to the Commonwealth's Attorneys.

An act granting to the Marshal of Owenton, Owen county, the power and authority of a Constable.

An act to amend the charter of the city of Covington.

An act concerning the tax on licenses to coffee houses, taverns, and ten-pin alleys in the city of Louisville and county of Jefferson.

An act changing an election precinct in Jefferson county.

An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

An act giving officers further time to collect precepts, taxes, and fees.

An act declaring the Kentucky Rifle a public authorized newspaper of this State.

An act to authorize the Circuit Courts of this Commonwealth to direct the sale of the real estate of lunatics.

An act for the benefit of the town of Russellville.

An act concerning the sale of spirituous liquors in the town of Prestonsburg.

An act to amend an act, entitled, an act for the benefit of William Smith, of Laurel county, approved March 7, 1850.

An act to repeal the 5th section of an act, entitled, an act to amend the charter of the city of Louisville, approved March 5, 1850.

An act to define the original corners of the town of Boston, in Whitley county.

An act to incorporate the Burlington and Florence Turnpike Road Company.

An act to amend an act in relation to running and re-marking a part of the county line between Graves and Hickman counties.

On motion of Mr. Taylor, leave of absence, indefinitely, was granted to Mr. Hays.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled, an act to organize County Courts in the several counties, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

Mr. Varnon moved the following resolution, viz:

Resolved, That the use of this Hall be given, on Thursday night next, to Dr. L. L. Pinkerton, for a discussion, by him, of the question, "Can the present school law of the State secure, to the greatest possible extent, the benefits for which the school fund was created?"

Which was adopted.

Mr. Gooch moved the following resolution, viz:

Resolved, That the committee on the Court of Appeals be instructed to inquire what reductions, if any, can be safely made in the fees now received by the Clerk of the Court of Appeals, and report to this House by bill or otherwise.

Which was adopted.

On motion of Mr. Shawhan, leave of absence, until Monday next, was granted to Mr. Desha.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Raymon, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Hanson, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill to charter the city of Louisville, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The question was then taken on engrossing and reading said bill a third time.

And, after some discussion had thereon, the House proceeded to the orders of the day.

Mr. Wooldridge, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky, reported the same without amendment. The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the several acts concerning the Southern Bank of Kentucky as require said bank to establish or locate a branch or branches in any place or district, or districts of counties, is hereby repealed; and the said bank is authorized to establish, in addition to the branch at Smithland, and the branch at Owensboro', already located, four more branches—two south and two north of Green river—at such times and places as said bank may deem proper; and the directors of the principal bank of said Southern Bank are authorized to apportion and distribute the capital, between the principal bank and branches, in such amounts and in such manner as they may deem prudent; and said bank is authorized to issue notes of a less denomination than five dollars, but not less than one dollar: *Provided*, that this act shall take effect at the expiration of thirty days from its passage, unless the president and directors of said bank shall file their objections with the governor of this commonwealth, within the said thirty days: *Provided*, that said bank shall, on the first Monday in July, in each year, pay into the treasury an annual tax of fifty cents on each one hundred dollars of stock paid in, which shall be in aid of the sinking fund.

Mr. Wooldridge moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That the president and directors of the said principal bank shall cause books to be opened, in October next, at three different places in each one of the three branch bank districts where no branch has yet been established, for the subscription of stock in said bank, and, in so doing, they shall comply with all the provisions and requirements of the charter; and said bank is hereby authorized to issue notes of a less denomination than five dollars, but not less than one dollar: *Provided*, that said bank shall, on the first Monday in July, in each year, pay into the treasury an annual tax of fifty cents on each one hundred dollars of stock paid in, which shall be in aid of the sinking fund.

Mr. Garrett moved to amend the original bill, by adding thereto the following proviso, viz:

Provided, That the president and directors of said bank shall, on the first Monday in June, 1851, cause to be opened at three different places in the Greenupsburg district, books for the subscription of stock in said bank, and keep the same open until the first Monday in August; and, if there is subscribed $75,000 of stock, then there shall be established in said district a branch of said bank; but if, after opening the books as above directed, there shall not be subscribed $75,000, then said bank shall be released from any obligation to establish a branch in said district.

Which was adopted.

Mr. Silvertooth moved to amend the bill from the Senate, by adding the following proviso, viz:

Provided further, That the president and directors of said bank shall, on the first Monday in June, 1851, cause to be opened, at the three different places in the Hickman county district, books for the subscription of stock in said bank, and keep the same open until the first Monday in

August; and, if there is subscribed $75,000 of stock, then there shall be located a branch of said bank at some convenient and legal place in the district in which Fulton county is situated; but, if said stock is not subscribed as above directed, then said bank shall be released from establishing a branch in said district.

Mr. W. M. Green moved to amend the amendment of Mr. Silvertooth by adding the following, viz:

Provided further, That the president and directors of said bank shall, on the first Monday in June, 1851, cause to be opened, at Burksville, in the county of Cumberland; Columbia, in the county of Adair; Monticello, in the county of Wayne, and Shelbyville, in Shelby county, books for the subscription of stock in said bank, and keep the same open until the first Monday in November; and, if there is subscribed $75,000 of stock, then there shall be established in the district of which those counties compose a part, a branch of said bank; but if, after opening the books as above directed, there shall not be subscribed $75,000, then said bank shall be released from any obligation to establish a branch in said district.

Which was adopted.

Mr. Ritter moved to amend the amendment of Mr. Silvertooth, as amended, by adding thereto the following, viz:

Provided, That such rate of premium as the directors may deem just and right, not exceeding three per cent., may be required of all persons subscribing stock under this amended act.

Mr. W. M. Green moved to lay the amendment of Mr. Ritter on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kingman and Ritter, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Edgar B. Gaither,	Joel Owsley,
Robert A. Athey,	Bernard H. Garrett,	John L. Sallee,
George I. Brown,	Squire Gatliff,	John Shawhan,
George P. Brown,	Cyrenius W. Gilmore,	George W. Silvertooth,
George R. Burgess,	Alfred F. Graham,	Thomas W. Varnon,
Edward F. Dulin,	George M. Hampton,	William T. Ward,
Robert English,	Joel Murphy,	Marcus L. Williams—21.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Wm. H. Grainger,	Daniel Matthewson,
James B. Allen,	Norvin Green,	John S. McFarland,
R. T. Baker,	Thomas S. Grundy,	James P. Metcalfe,
William Bradley,	Samuel Hanson,	George H. Morrow,
Carlo B. Brittain,	William Harris,	Wm. B. Murphy,
John B. Bruner,	P. B. Hawkins,	Julian N. Phelps,
William H. Calvert,	Stilwell Heady,	Edward C. Purdy,
George T. Campbell,	Lysander Hord,	Burwell C. Ritter,

Henry R. D. Coleman,	Samuel B. Jesup,	John Rodman,
John W. Cook,	George W. Kavanaugh,	Joseph W. Rowlett,
Winston J. Davie,	Samuel A. Kingman,	Basil G. Smith,
Asbury Dawson,	Hiram Klette,	Ambrose H. Talbott,
Joseph Dougherty,	Daniel Landes,	Thomas Todd,
Alvin Duvall,	Preston H. Leslie,	John Tompson,
Richard H. Field,	Joseph H. Lewis,	G. W. Williams, of B.
William H. Gardner,	Caleb W. Logan,	George W. Williams, of H.
John G. Gooch,	George W. Mansfield,	James T. Woodward—51.

The question was then taken on the adoption of the amendment proposed by Mr. Ritter, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ritter and McElroy, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	George W. Mansfield,
William Beeler,	Norvin Green,	John S. McFarland,
William Bradley,	Samuel Hanson,	Strother D. Mitchell,
Carlo B. Brittain,	P. B. Hawkins,	George H. Morrow,
George P. Brown,	Stilwell Heady,	Julian N. Phelps,
John B. Bruner,	Lysander Hord,	William Preston,
William H. Calvert,	Samuel B. Jesup,	Burwell C. Ritter,
Henry R. D. Coleman,	George W. Kavanaugh,	John Rodman,
Asbury Dawson,	Samuel A. Kingman,	Joseph W. Rowlett,
Joseph Dougherty,	Hiram Klette,	Basil G. Smith,
William H. Gardner,	Daniel Landes,	Thomas Todd,
John G. Gooch,	Preston H. Leslie,	G. W. Williams, of H—38.
Wm. H. Grainger,	Joseph H. Lewis,	

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	Edward C. Purdy,
John B. Arnold,	Squire Gatliff,	C. C. Rogers,
Robert A. Athey,	Cyrenius W. Gilmore,	John L. Sallee,
William S. Black,	Alfred F. Graham,	John Shawhan,
George I. Brown,	William M. Green,	George W. Silvertooth,
George R. Burgess,	Thomas S. Grundy,	Albert G. Talbott,
George T. Campbell,	George M. Hampton,	Wm. T. Terrill,
John W. Cook,	William Harris,	John Tompson,
Winston J. Davie,	Daniel Matthewson,	Thomas W. Varnon,
Edward F. Dulin,	James P. Metcalfe,	William T. Ward,
Robert English,	Joel Murphy,	G. W. Williams, of B.
Richard H. Field,	William B. Murphy,	Marcus L. Williams,
Edgar B. Gaither,	Joel Owsley,	James T. Woodward—39.

The question was then taken on the adoption of the amendment of Mr. Silvertooth, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kingman and W. M. Green, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Squire Gatliff,	Thomas W. Riley,
Robert A. Athey,	Cyrenius W. Gilmore,	John Rodman,
R. T. Baker,	Alfred F. Graham,	C. C. Rogers,

William S. Black,	Wm. M. Gray,	Joseph W. Rowlett,
William Bradley,	Norvin Green,	John L. Sallee,
Carlo B. Brittain,	William M. Green,	John Shawhan,
George I. Brown,	Thomas S. Grundy,	George W. Silvertooth,
George P. Brown,	George M. Hampton,	Basil G. Smith,
George R. Burgess,	Wm. Harris,	Albert G. Talbott,
William H. Calvert,	Lysander Hord,	Ambrose H. Talbott,
George T. Campbell,	Hiram Klette,	William T. Terrill,
John W. Cook,	Daniel Matthewson,	John Tompson,
Winston J. Davie,	Strother D. Mitchell,	Thomas W. Varnon,
Joseph Dougherty,	Joel Murphy,	William T. Ward,
Edward F. Dulin,	William B. Murphy,	G. W. Williams, of B.
Richard H. Field,	Joel Owsley,	Marcus L. Williams,
Edgar B. Gaither,	Edward C. Purdy,	James T. Woodward—52.
Wm. H. Gardner,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	P. B. Hawkins,	John S. McFarland,
William Beeler,	Stilwell Heady,	James P. Metcalfe,
John B. Bruner,	Samuel B. Jesup,	George H. Morrow,
Henry R. D. Coleman,	Samuel A. Kingman,	Julian N. Phelps,
Asbury Dawson,	Daniel Landes,	William Preston,
Robert English,	Preston H. Leslie,	Burwell C. Ritter,
John G. Gooch,	Joseph H. Lewis,	Thomas Todd,
Wm. H. Grainger,	George W. Mansfield,	G. W. Williams, of H—25.
Samuel Hanson,		

The question was then taken on the adoption of the substitute proposed for said bill by Mr. Wooldridge, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sallee and Graham, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	Samuel L. Geiger,	Joel Owsley,
Wm. Beeler,	Cyrenius W. Gilmore,	Edward C. Purdy,
William S. Black,	Alfred F. Graham,	C. C. Rogers,
George R. Burgess,	William M. Green,	Joseph W. Rowlett,
John W. Cook,	Thomas S. Grundy,	John L. Sallee,
Winston J. Davie,	George M. Hampton,	John Shawhan,
Edward F. Dulin,	Hiram Klette,	George W. Silvertooth,
Alvin Duvall,	Preston H. Leslie,	Albert G. Talbott,
Robert English,	Daniel Matthewson,	John Tompson,
Richard H. Field,	James P. Metcalfe,	Thomas W. Varnon,
Edgar B. Gaither,	Strother D. Mitchell,	William T. Ward,
Bernard H. Garrett,	Joel Murphy,	Marcus L. Williams,
Squire Gatliff,	William B. Murphy,	James T. Woodward—39.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William H. Grainger,	John S. McFarland,
John B. Arnold,	William M. Gray,	George H. Morrow
R. T. Baker,	Norvin Green,	Benjamin L. Owens,
William Bradley,	Samuel Hanson,	Julian N. Phelps,

Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
Asbury Dawson,
Joseph Dougherty,
Wm. H. Gardner,
John G. Gooch,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Joseph H. Lewis,
George W. Mansfield,
William C. Marshall,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
G. W. Williams, of B.
G. W. Williams, of H—43.

Mr. Davie moved a reconsideration of the vote rejecting the amendment proposed by Mr. Ritter, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. M. Green and Burgess, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William Bradley,
John B. Bruner,
Robert H. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Alvin Duvall,
Wm. H. Gardner,
John G. Gooch,
William H. Grainger,
Norvin Green,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Wm. C. Marshall,
John S. McFarland,
George H. Morrow,
Julian N. Phelps,
Wm. Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
Basil G. Smith,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
George W. Williams, of B.
G. W. Williams, of H—41.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
George T. Campbell,
John W. Cook,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Hiram Klette,
Daniel Matthewson,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
C. C. Rogers,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Marcus L. Williams,
James T. Woodward—45.

Mr. McElroy moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. McFarland moved a reconsideration of the vote laying said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then amended by striking out all after the enacting clause, and inserting in lieu thereof, the following, viz:

That the Southern Bank and branches shall have the privilege of issuing notes of less denomination than five dollars, but not less than one dollar; and that said bank shall, on the first Monday in July, in each year, pay into the treasury an annual tax of fifty cents on each one hundred dollars of stock paid in, which shall go in aid of the sinking fund.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the committee on the Judiciary, viz:

A bill to incorporate the town of Raliegh.

A bill to reduce into one the several acts regulating the town of Madisonville.

A bill to authorize the Montgomery County Court to levy a tax for rebuilding the court house of said county.

A bill for the benefit of the Mechanics of Muhlenburg county.

A bill for the benefit of the Mechanics of Pulaski county.

A bill regulating the duties of the Christian County Court in laying the levy.

A bill to establish the town of Woodville, in the county of Mason.

A bill to amend the charter of the Falls City Insurance Company, approved February 20, 1851.

A bill to incorporate Hancock Lodge, No. 115, in Hancock county.

A bill to prevent the destruction of Fish in Floyd's Fork.

A bill to amend the charter of the Covington and Lexington Turnpike Road Company; and to incorporate the Georgetown and Dry Ridge Turnpike Road Company, as a separate and independent company.

A bill to incorporate the Georgetown and Louisville Branch Railroad Company.

A bill to amend the charter of the Frankfort and Lexington Railroad Company.

A bill to amend an act incorporating the Newtown and Leesburg Turnpike Koad Company.

A bill to incorporate Springhill Lodge, No. 139, at Crab Orchard.

A bill for the benefit of William T. Dudley, Clerk of the Fleming County Court.

A bill to amend an act, approved January 29, 1846, incorporating the town of Hillsboro', in Fleming county.

A bill to incorporate the Winchester, Kiddville, and Mountsterling Turnpike Road Company.

A bill fixing the period of Clerks' and other officers listing their fee bills for collection in the present year.

A bill providing for special terms of the County Courts.

A bill providing for the collection, by the Sheriffs elected in May next, of the revenue of the present year.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. G. P. Brown moved the following resolution, viz:

Resolved, That the select committee, to whom was referred a bill regulating tolls on the Wilderness Turnpike Road, be instructed to report the same on Thursday next, at 10 o'clock, A. M.

Which was adopted.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to establish a Police Court in the town of Caseyville, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to authorize the city of Louisville to subscribe stock in certain railroads.

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

Reported the same without amendment.

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill to provide for the payment of jurors who try cases before Magistrates, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

And then the House adjourned.

WEDNESDAY, MARCH 12, 1851.

1. Mr. Churchill presented the petition of citizens of Portland, for the passage of an act in relation to Cedar Grove Academy.

2. Mr. Cook presented the remonstrance of Samuel Payne, and others, of District, No. 5, in Graves county, against a change in said district.

3. Mr. T. Todd presented the petition of sundry citizens of Shelby county, praying a change in the Justices' and Constables' Districts, in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; and the 2d and 3d to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock.

On motion of Mr. Arnold,

Leave was given to bring in a bill to increase the resources of the Sinking Fund.

Ordered, That the committee on Ways and Means prepare and bring in the same.

Mr. Varnon, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate. entitled, an act to establish the place of voting in the Keysburg district, in Logan county, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Varnon inform the Senate thereof.

Mr. Williams, of Bourbon, moved that a committee be appointed on the part of this House, to act in conjunction with a committee on the part of the Senate, to wait on the Governor, and ask leave to withdraw from him an enrolled bill, which originated in this House, entitled, an act to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg.

Mr. J. M. Alexander moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Gaither, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
William Beeler,
William Bradley,
George R. Burgess,
Robert H. Campbell,
Winston J. Davie,
Edward F. Dulin,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Joseph H. Lewis,
Hiram McElroy,
Benjamin L. Owens,
William Preston,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
John Tompson,
Elisha F. Wells,
Marcus L. Williams,
Edmund Wooldridge—38.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
William S. Black,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
Wm. M. Gray,
Wm. M. Green,
William Harris,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Thomas W. Riley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
Thomas W. Varnon,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—44.

The question was then taken on the motion of Mr. Williams, of Bourbon, to appoint said committee, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams, of Bourbon, and Harris, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Wm. S. Black,
George I. Brown,
John B. Bruner,
Henry R. D. Coleman,
Asbury Dawson,
Joseph Dougherty,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
William M. Green,
Wm. Harris,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Thomas W. Riley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
Ambrose H. Talbott,

Alvin Duvall,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
George W. Mansfield,
Daniel Matthewson,
John S. McFarland,
Strother D. Mitchell,
Jesse S. Taylor,
Wm. T. Terrill,
G. W. Williams, of B.
James T. Woodward—37.

Those who voted in the negative, were

James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Bradley,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Lucius Desha,
Edward F. Dulin,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
William C. Marshall,
Hiram McElroy,
William B. Murphy,
Benjamin L. Owens,
William Preston,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Thomas Todd,
John Tompson,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—46.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to authorize the erection of a monument to the memory of Col. Richard M. Johnson.

An act to purchase a burial place in the Frankfort Cemetery.

An act to authorize the commandant of the 36th regiment of militia to list for collection fines assessed in 1849.

An act regulating allowances to Masters, Auditors, and Commissioners in Chancery.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act prescribing the duties of the Assessors of Tax.

An act to incorporate the Capital Hotel Company of Frankfort.

An act for the benefit of James McConnell.

An act for the benefit of Col. Ambrose Arthur.

An act for the benefit of James McBride.

An act to authorize the sale of the estates of infants and *femes covert.*

The following bills were reported, viz:

By Mr. Silvertooth—A bill to amend the act creating the offices of Police Judge and Marshal in the towns of Clinton and Moscow, in Hickman county.

By Mr. Marshall—A bill to legalize the proceedings of the Bracken County Court, at its October term, 1850.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Rogers,

Leave was given to bring in a bill to amend the charter of the Lexington Insurance Company.

Ordered, That the committee on the Judiciary prepare and bring in the same.

The House resumed the consideration of the bill to charter the city of Louisville.

And, after some discussion had thereon, the House proceeded to the orders of the day.

An engrossed bill, entitled, an act to abolish the office of Second Auditor, was read the third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Joel Murphy,
James M. Alexander,	Cyrenius W. Gilmore,	William B. Murphy,
William W. Alexander,	William H. Grainger,	William Preston,
James B. Allen,	William M. Gray,	Edward C. Purdy,
Robert A. Athey,	Thomas S. Grundy,	Thomas W. Riley,
R. T. Baker,	George M. Hampton,	Burwell C. Ritter,
Wm. Beeler,	Samuel Hanson,	John Rodman,
William S. Black,	P. B. Hawkins,	George W. Silvertooth,
George I. Brown,	Lysander Hord,	Albert G. Talbott,
George P. Brown,	George W. Kavanaugh,	Ambrose H. Talbott,
John B. Bruner,	Hiram Klette,	Jesse S. Taylor,
George R. Burgess,	Peter Lashbrooke,	Thomas Todd,
Wm. H. Calvert,	Joseph H. Lewis,	Thomas W. Varnon,
Robert H. Campbell,	Caleb W. Logan,	William T. Ward,
John W. Cook,	William C. Marshall,	G. W. Williams, of B.
Edward F. Dulin,	Daniel Matthewson,	G. W. Williams, of H.
Alvin Duvall,	John S. McFarland,	Marcus L. Williams,
Robert English,	James P. Metcalfe,	James T. Woodward,
William H. Gardner,	Strother D. Mitchell,	Edmund Wooldridge—57.

Those who voted in the negative, were

John B. Arnold,	Bernard H. Garrett,	George W. Mansfield,
William Bradley,	Squire Gatliff,	Hiram McElroy,
Carlo B. Brittain,	John G. Gooch,	George H. Morrow,
George T. Campbell,	Alfred F. Graham,	Benjamin L. Owens,
Alexander P. Churchill,	Norvin Green,	Joel Owsley,

Henry R. D. Coleman,	William M. Green,	C. C. Rogers,
Winston J. Davie,	Wm. Harris,	Joseph W. Rowlett,
Asbury Dawson,	Stilwell Heady,	John L. Sallee,
Lucius Desha,	Samuel B. Jesup,	John Shawhan,
Joseph Dougherty,	Samuel A. Kingman,	Basil G. Smith,
Richard H. Field,	Daniel Landes,	William T. Terrill,
Edgar B. Gaither,	Preston H. Leslie,	John Tompson—36.

Resolved, That the title be amended to read: "An act organizing the department of the Auditor of Public Accounts, and fixing the salaries of the officers of said department."

The House again resumed the consideration of the bill to fix the salaries of officers.

Mr. Hawkins moved a reconsideration of the vote refusing to fill the blank in the salary of the Treasurer with "fifteen hundred."

Mr. Garrett moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garrett and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Cyrenius W. Gilmore,	Daniel Matthewson,
John B. Arnold,	John G. Gooch,	Hiram McElroy,
Wm. Beeler,	Alfred F. Graham,	George H. Morrow,
William S. Black,	William M. Gray,	Joel Murphy,
Wm. Bradley,	Norvin Green,	Benjamin L. Owens,
Carlo B. Brittain,	Wm. M. Green,	Joel Owsley,
George T. Campbell,	Thomas S. Grundy,	Burwell C. Ritter,
Henry R. D. Coleman,	George M. Hampton,	Joseph W. Rowlett,
John W. Cook,	William Harris,	John L. Sallee,
Asbury Dawson,	Stilwell Heady,	John Shawhan,
Lucius Desha,	Samuel B. Jesup,	George W. Silvertooth,
Joseph Dougherty,	Samuel A. Kingman,	Basil G. Smith,
Richard H. Field,	Daniel Landes,	Albert G. Talbott,
Edgar B. Gaither,	Preston H. Leslie,	William T. Terrill,
Bernard H. Garrett,	George W. Mansfield,	John Tompson—46.
Squire Gatliff,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	Wm. Preston,
James M. Alexander,	Samuel L. Geiger,	Edward C. Purdy,
William W. Alexander,	William H. Grainger,	Thomas W. Riley,
Robert A. Athey,	Samuel Hanson,	John Rodman,
R. T. Baker,	P. B. Hawkins,	C. C. Rogers,
George I. Brown,	Lysander Hord,	Ambrose H. Talbott,
George P. Brown,	George W. Kavanaugh,	Jesse S. Taylor,
John B. Bruner,	Hiram Klette,	Thomas Todd,
George R. Burgess,	Peter Lashbrooke,	Thomas W. Varnon,
Wm. H. Calvert,	Joseph H. Lewis,	William T. Ward,
Robert H. Campbell,	Caleb W. Logan,	George W. Williams, of B.

Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Robert English,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Wm. B. Murphy,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—47.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Tompson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Robert English,
William H. Gardner,
Samuel L. Geiger,
Wm. H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
George W. Kavanaugh,
Hiram Klette,
Peter Lashbrooke,
Joseph H. Lewis,
Caleb W. Logan,
William C. Marshall,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Wm. B. Murphy,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—47.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson—46.

The question was again taken on filling the blank, as the salary of the Treasurer, with "fifteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	William Preston,
James M. Alexander,	Wm. H. Grainger,	Edward C. Purdy,
William W. Alexander,	Samuel Hanson,	Thomas W. Riley,
Robert A. Athey,	P. B. Hawkins,	John Rodman,
R. T. Baker,	Lysander Hord,	C. C. Rogers,
George I. Brown,	George W. Kavanaugh,	Ambrose H. Talbott,
George P. Brown,	Hiram Klette,	Jesse S. Taylor,
John B. Bruner,	Peter Lashbrooke,	Thomas Todd,
George R. Burgess,	Joseph H. Lewis,	Thomas W. Varnon,
Robert H. Campbell,	Caleb W. Logan,	William T. Ward,
Alexander P. Churchill,	William C. Marshall,	G. W. Williams, of B.
Winston J. Davie,	John S. McFarland,	G. W. Williams, of H.
Edward F. Dulin,	James P. Metcalfe,	Marcus L. Williams,
Alvin Duvall,	Strother D. Mitchell,	James T. Woodward,
Robert English,	William B. Murphy,	Edmund Wooldridge—46.
Wm. H. Gardner,		

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Daniel Matthewson,
John B. Arnold,	Cyrenius W. Gilmore,	Hiram McElroy,
William Beeler,	John G. Gooch,	George H. Morrow,
William S. Black,	Alfred F. Graham,	Joel Murphy,
William Bradley,	Wm. M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Joel Owsley,
William H. Calvert,	William M. Green,	Burwell C. Ritter,
George T. Campbell,	Thomas S. Grundy,	Joseph W. Rowlett,
Henry R. D. Coleman,	George M. Hampton,	John L. Sallee,
John W. Cook,	Wm. Harris,	John Shawhan,
Asbury Dawson,	Stilwell Heady,	George W. Silvertooth,
Lucius Desha,	Samuel B. Jesup,	Basil G. Smith,
Joseph Dougherty,	Samuel A. Kingman,	Albert G. Talbott,
Richard H. Field,	Daniel Landes,	William T. Terrill,
Edgar B. Gaither,	Preston H. Leslie,	John Tompson,—47.
Bernard H. Garrett,	George W. Mansfield,	

Mr. Williams, of Bourbon, moved to amend the bill by striking out the following, viz: "to the Clerk in the Treasurer's office, five hundred dollars."

Mr. Rogers moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cook and Shawhan, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	Samuel Hanson,	C. C. Rogers,
R. T. Baker,	Lysander Hord,	Thomas Todd,
John B. Bruner,	William C. Marshall,	Thomas W. Varnon,

Robert H. Campbell,
Alexander P. Churchill,
Alvin Duvall,
William H. Grainger,
William M. Gray,
William B. Murphy,
William Preston,
Burwell C. Ritter,
John Rodman,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—22.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Thomas W. Riley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
G. W. Williams, of B.
Marcus L. Williams—68.

The question was then taken on the adoption of the amendment proposed by Mr. Williams, of Bourbon, and it was decided in the affirmative.

Mr. T. Todd then moved to fill the blank, as the salary of the Treasurer, with "two thousand," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gooch and Sallee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Robert H. Campbell,
Alexander P. Churchill,
Alvin Duvall,
Robert English,
Bernard H. Garrett,
Wm. H. Grainger,
Lysander Hord,
Caleb W. Logan,
William C. Marshall,
William B. Murphy,
William Preston,
Thomas W. Riley,
C. C. Rogers,
Thomas Todd,
William T. Ward,
Edmund Wooldridge—20.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,

William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—72.

Mr. Hord moved to fill the blank, as the salary of the Treasurer, with "eighteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Athey and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Samuel L. Geiger,
William H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Hiram Klette,
Caleb W. Logan,
Wm. C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William B. Murphy,
Wm. Preston,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—37.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,

Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson,
George W. Williams, of B.
Marcus L. Williams—54.

Mr. Wooldridge moved to amend the bill, filling the blank, as to the salary of the Treasurer, with "seventeen hundred and fifty," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brittain and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Hiram Klette,
Caleb W. Logan,
William C. Marshall,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William B. Murphy,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—40.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Wm. T. Terrill,
John Tompson,
G. W. Williams, of B.
Marcus L. Williams—52.

Mr. J. M. Alexander moved to amend the bill, by filling the blank, as to the salary of the Treasurer, with "seventeen hundred," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gaither and J. M. Alexander, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Wm. B. Murphy,
James M. Alexander,	Wm. H. Grainger,	Wm. Preston,
Robert A. Athey,	Samuel Hanson,	Edward C. Purdy,
R. T. Baker,	P. B. Hawkins,	Thomas W. Riley,
Wm. Beeler,	Lysander Hord,	Burwell C. Ritter,
George I. Brown,	Samuel B. Jesup,	John Rodman,
George P. Brown,	George W. Kavanaugh,	C. C. Rogers,
John B. Bruner,	Hiram Klette,	Ambrose H. Talbott,
George R. Burgess,	Daniel Landes,	Jesse S. Taylor,
Wm. H. Calvert,	Peter Lashbrooke,	Thomas Todd,
Robert H. Campbell,	Caleb W. Logan,	Thomas W. Varnon,
Alexander P. Churchill,	Wm. C. Marshall,	William T. Ward,
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of H.
Alvin Duvall,	James P. Metcalfe,	Marcus L. Williams,
Robert English,	Strother D. Mitchell,	James T. Woodward,
Wm. H. Gardner,	Joel Murphy,	Edmund Wooldridge—49.
Bernard H. Garrett,		

Those who voted in the negative, were

Wm. W. Alexander,	Squire Gatliff,	Daniel Matthewson,
James B. Allen,	Cyrenius W. Gilmore,	Hiram McElroy,
John B. Arnold,	John G. Gooch,	George H. Morrow,
Wm. S. Black,	Alfred F. Graham,	Benjamin L. Owens,
Wm. Bradley,	Wm. M. Gray,	Joel Owsley,
Carlo B. Brittain,	Norvin Green,	Joseph W. Rowlett,
George T. Campbell,	Wm. M. Green,	John L. Sallee,
Henry R. D. Coleman,	Thomas S. Grundy,	John Shawhan,
John W. Cook,	George M. Hampton,	George W. Silvertooth,
Winston J. Davie,	Wm. Harris,	Basil G. Smith,
Asbury Dawson,	Stilwell Heady,	Albert G. Talbott,
Lucius Desha,	Samuel A. Kingman,	Wm. T. Terrill,
Joseph Dougherty,	Preston H. Leslie,	John Tompson,
Richard H. Field,	Joseph H. Lewis,	G. W. Williams, of B—44.
Edgar B. Gaither,	George W. Mansfield,	

Mr. Williams, of Bourbon, moved to amend the bill by adding the following section, viz:

"That any law now in force, allowing a salary to a Clerk in the Treasurer's department, be and the same is hereby repealed."

Which was adopted.

Mr. Garrett moved to amend said bill, by inserting after "Treasurer," the words, "and Keeper of the State House and Public Grounds," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dawson and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Edgar B. Gaither,	Daniel Landes,
James B. Allen,	William H. Gardner,	Preston H. Leslie,
John B. Arnold,	Bernard H. Garrett,	Joseph H. Lewis,
William S. Black,	Squire Gatliff,	George W. Mansfield,
William Bradley,	Samuel L. Geiger,	Daniel Matthewson,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Hiram McElroy,
George T. Campbell,	John G. Gooch,	George H. Morrow,
Henry R. D. Coleman,	Alfred F. Graham,	Benjamin L. Owens,
John W. Cook,	William M. Gray,	Joel Owsley,
Winston J. Davie,	Norvin Green,	Joseph W. Rowlett,
Asbury Dawson,	William M. Green,	John L. Sallee,
Lucius Desha,	Thomas S. Grundy,	John Shawhan,
Joseph Dougherty,	George M. Hampton,	George W. Silvertooth,
Edward F. Dulin,	Wm. Harris,	Basil G. Smith,
Alvin Duvall,	Stilwell Heady,	William T. Terrill,
Richard H. Field,	Samuel B. Jesup,	John Tompson—48.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Lysander Hord,	Burwell C. Ritter,
James M. Alexander,	George W. Kavanaugh,	John Rodman,
Robert A. Athey,	Hiram Klette,	C. C. Rogers,
R. T. Baker,	Peter Lashbrooke,	Albert G. Talbott,
Wm. Beeler,	Caleb W. Logan,	Ambrose H. Talbott,
George I. Brown,	William C. Marshall,	Jesse S. Taylor,
George P. Brown,	John S. McFarland,	Thomas Todd,
John B. Bruner,	James P. Metcalfe,	Thomas W. Varnon,
George R. Burgess,	Strother D. Mitchell,	William T. Ward,
Wm. H. Calvert,	Joel Murphy,	G. W. Williams, of B.
Robert H. Campbell,	William B. Murphy,	G. W. Williams, of H.
Robert English,	William Preston,	Marcus L. Williams,
William H. Grainger,	Edward C. Purdy,	James T. Woodward,
Samuel Hanson,	Thomas W. Riley,	Edmund Wooldridge—43.
P. B. Hawkins,		

Mr. J. M. Alexander moved to amend said bill by striking out, as the salary of the Librarian, "two hundred and fifty," and inserting "three hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Wm. Preston,
James M. Alexander,	Samuel L. Geiger,	Edward C. Purdy,
William W. Alexander,	Cyrenius W. Gilmore,	Thomas W. Riley,
Robert A. Athey,	Wm. M. Green,	John Rodman,
R. T. Baker,	Samuel Hanson,	Albert G. Talbott,
Wm. Bradley,	P. B. Hawkins,	Ambrose H. Talbott,
George I. Brown,	Lysander Hord,	William T. Terrill,
George P. Brown,	Samuel A. Kingman,	Thomas Todd,

Robert H. Campbell,	Peter Lashbrooke,	William T. Ward,
George T. Campbell,	Caleb W. Logan,	George W. Williams, of B.
Alexander P. Churchill,	William C. Marshall,	G. W. Williams, of H.
Edgar B. Gaither,	Joel Murphy,	James T. Woodward,
William H. Gardner,	Wm. B. Murphy,	Edmund Wooldridge—39.

Those who voted in the negative, were

James B. Allen,	Richard H. Field,	Daniel Matthewson,
John B. Arnold,	Squire Gatliff,	Hiram McElroy,
Wm. Beeler,	John G. Gooch,	John S. McFarland,
William S. Black,	Alfred F. Graham,	James P. Metcalfe,
Carlo B. Brittain,	William H. Grainger,	Strother D. Mitchell,
John B. Bruner,	William M. Gray,	George H. Morrow,
George R. Burgess,	Thomas S. Grundy,	Benjamin L. Owens,
Wm. H. Calvert,	George M. Hampton,	Joel Owsley,
Henry R. D. Coleman,	William Harris,	Burwell C. Ritter,
John W. Cook,	Stilwell Heady,	C. C. Rogers,
Winston J. Davie,	Samuel B. Jesup,	Joseph W. Rowlett,
Asbury Dawson,	George W. Kavanaugh,	John L. Sallee,
Lucius Desha,	Hiram Klette,	John Shawhan,
Joseph Dougherty,	Daniel Landes,	George W. Silvertooth,
Edward F. Dulin,	Preston H. Leslie,	Basil G. Smith,
Alvin Duvall,	Joseph H. Lewis,	John Tompson,
Robert English,	George W. Mansfield,	Marcus L. Williams—51.

Mr. A. G. Talbott moved to amend said bill by striking out, as the salary of the Register of the Land Office, "one thousand," and inserting "twelve hundred and fifty."

And the question being taken thereon, it was decided in the affirmative.

Mr. Gaither moved a reconsideration of the vote adopting said amendment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sallee and Arnold, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Squire Gatliff,	Peter Lashbrooke,
John B. Arnold,	Cyrenius W. Gilmore,	Preston H. Leslie,
William S. Black,	John G. Gooch,	George W. Mansfield,
Winston J. Davie,	Thomas S. Grundy,	Hiram McElroy,
Asbury Dawson,	George M. Hampton,	Benjamin L. Owens,
Lucius Desha,	William Harris,	Joseph W. Rowlett,
Joseph Dougherty,	P. B. Hawkins,	John L. Sallee,
Robert English,	Stilwell Heady,	John Shawhan,
Richard H. Field,	George W. Kavanaugh,	Basil G. Smith,
Edgar B. Gaither,	Daniel Landes,	William T. Terrill—30.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Joel Owsley,
William W. Alexander,	Alfred F. Graham,	William Preston,
Robert A. Athey,	Wm. H. Grainger,	Edward C. Purdy,
R. T. Baker,	William M. Gray,	Thomas W. Riley,
William Beeler,	Norvin Green,	Burwell C. Ritter,
William Bradley,	William M. Green,	John Rodman,
Carlo B. Brittain,	Samuel Hanson,	C. C. Rogers,
George I. Brown,	Lysander Hord,	George W. Silvertooth,
George P. Brown,	Samuel B. Jesup,	Albert G. Talbott,
John B. Bruner,	Samuel A. Kingman,	Ambrose H. Talbott,
George R. Burgess,	Hiram Klette,	Jesse S. Taylor,
William H. Calvert,	Joseph H. Lewis,	Thomas Todd,
Robert H. Campbell,	Caleb W. Logan,	John Tompson,
George T. Campbell,	William C. Marshall,	Thomas W. Varnon,
Alexander P. Churchill,	Daniel Matthewson,	William T. Ward,
Henry R. D. Coleman,	John S. McFarland,	G. W. Williams, of B.
John W. Cook,	James P. Metcalfe,	George W. Williams, of H.
Edward F. Dulin,	Strother D. Mitchell,	Marcus L. Williams,
Alvin Duvall,	George H. Morrow,	James T. Woodward,
William H. Gardner,	Joel Murphy,	Edmund Wooldridge—62.
Bernard H. Garrett,	Wm. B. Murphy,	

A message was received from the Governor, which is as follows, viz:

To the House of Representatives:

Having determined to withhold my assent to a bill, entitled, "an act to incorporate the trustees of Bacon College, located at Harrodsburg," which originated in the House of Representatives, I avail myself of the opportunity offered, in presenting my objections thereto, most respectfully to invite the legislature to a consideration of some of the many reasons against the passage of such laws.

This bill, by its provisions, authorizes the drawing of lotteries and of selling lottery tickets, for the purpose of sustaining this once flourishing and prosperous literary institution.

Kentucky has always had general statutes, prohibiting the drawing of lotteries, and the selling of lottery tickets. In the years 1816, in 1828, and in 1831, the prohibition was enforced by heavy penalties. The act of 1831, prescribed a penalty of from one hundred to ten thousand dollars for selling a lottery ticket. The reasons for this course of legislation, are briefly but forcibly stated in the preamble to one of our old statutes, as follows:

"Whereas, many pernicious games, called lotteries, have been set up in this colony, which have a manifest tendency to the corruption of morals, and the impoverishment of families; and whereas, such pernicious practices may not only give opportunities to defraud the honest and industrious, but may be productive of all manner of vice, idleness, and immorality, and against the common good and welfare of the community."

No state has ever departed from the sound policy of this preamble, but has had cause to regret its departure. Few, if any of our sister states, are now in the habit of authorizing lotteries. Such was the practical experience of New York, of the evils attending lotteries, that they took the wise precaution of prohibiting them, absolutely, in their new constitution.

I have been long impressed with the impropriety of granting lottery privileges by special acts. Yet, with that strong bias upon my mind, in the moment of a yielding temper, and a desire to gratify a friend, by aiding him in the accomplishing of a local object, I have been guilty of the error I am now forced to condemn.

My impression is, I have voted for a lottery bill, and, at the present session, I have signed and approved one, and had determined to sign the present, but for a reason which I will assign in conclusion, and content myself by presenting to the legislature, a protest against the practice of granting lottery privileges. I signed the bill referred to with reluctance.

I confess it is with great reluctance I now exercise the veto power, because I have signed one bill of the same sort, and for the additional reason that it seems to me, a proper deference to the legislature, should preclude a governor from exercising his veto power, except upon occasions of great magnitude, and that it should be seldom done because of a difference of opinion upon ordinary questions of mere expediency or policy. I am now satisfied the common error of the legislative and the executive departments, has had the effect to originate this, and other bills of a like character. For that reason, I feel myself constrained, by a sense of duty, to acknowledge my own error, and, in a most respectful manner, to ask the general assembly to give the reasons which I shall offer against it, that consideration which their weight and soundness entitle them to. I frankly and openly confess my error, and am satisfied that if your judgments are convinced, you will act in like manner.

If this system of legislation be not arrested, the long settled policy of Kentucky against lotteries must be entirely subverted. Each new act will afford additional reasons for the passage of others, until it would be found economizing time and trouble to pass a general law, authorizing every seminary of learning, college, or religious society in the state, to raise money by lotteries; or, which would still more easily attain the same object, a repeal of all laws prohibiting lotteries. Indeed, such a mode of legislation would be much fairer and more equitable than the present mode. The claims to such favors, belong as much to one as another. Before further encouragement is given to lotteries, let us, for a moment, inquire into their nature and effect.

No lottery can add to the wealth of the state. As ours are managed, when sold to brokers in a foreign state, they abstract materially from that wealth. To the extent of the profit made, they are an obvious drain upon the pockets of our people, for the benefit of foreign lottery brokers.

A lottery is but a mode of raising money by a species of unequal gaming and oppressive and unequal taxation. Contrary to all wise systems of taxation—instead of casting most of the burthens on those best able to bear them, the rich—it falls with a heavy and blighting weight upon the poor, the indigent, unwary, uncautious, and uninformed portions of society.

It appears by the printed schemes of three lotteries now before me, which seem to have been drawn during the last month, by authority of the legislature of Kentucky, that they propose to sell tickets to the amount, in round numbers, of $1,280,000, in which they propose to distribute prizes to the amount of $940,000, after deducting fifteen per cent. therefrom. That is, for what would cost the community $1,280,000, it is proposed to repay the sum of $800,000; resulting in the loss to the community, on these schemes, to be drawn in a single month, the enormous sum of $400,000. In other words, the community loses the one-third of every dollar vested in lotteries. The only security of the community from ruin under such a state of things, must be in the fact that neither the whole nor the greater part of the tickets are sold. This fact incontestibly proves another; that is, the lotteries are either so fraudulently managed that the prizes can never be drawn by sold tickets, or they are placed upon a contingency so remote as to render it next to impossible, and are neither able, nor do they intend to pay, should they chance to be drawn.

Neither in the bill before me, nor in any of those which have preceded it, is there any adequate protection against fraud, in the management of the lotteries allowed. In two of the schemes above mentioned, the distribution of the prizes

was to be determined by a lottery to be drawn in Alexandria, Virginia. Our citizens have no means of knowing or ascertaining whether that drawing was fairly made or not. The other scheme was to be drawn at Covington, in this state, but under whose superintendence, other than that of the broker who purchased it is unknown. Indeed, our statutes are not drawn with that sort of precaution, necessary to guard against the greatest amount of fraud in their drawing. The modern system of lotteries, by using a combination of numbers, involves some of the most intricate problems of the science of numbers. Few men are capable of investigating those principles, and solving the problems that arise out of that combination. The system is therefore well calculated to cover up and conceal fraud in the distribution of prizes, even when the drawing is carefully watched.

A lottery is the most pernicious of all modes of gambling. In my judgment, it would involve no more moral turpitude, and inflict upon the community no greater evil, to license faro banks and billiard tables. I incline to think the latter of the two far the most rational and least pernicious.

The rich and more intelligent, seldom fall victims to lottery schemes. The clerks of business houses, whose position accustoms them to handle large sums, become ambitious to be ushered into sudden wealth—they seek to obtain it by abstracting from their slow earnings, a portion to try "Dame Fortune." Apprentices and school boys, the unwary of all classes, whose impatience makes them loathe the dull tedium of acquiring wealth by steady habits, frugality, and industry, seek the purchase of lottery tickets, in the vain hope of being at once placed in the possession of an ample fortune. The painful suspense and eager watching of the drawings render them, for the time being, disqualified for regular pursuits. Even the purest sex, the ladies, are not exempted, at all times, from the alluring hopes that fortune thus may fall upon them. The effect of lotteries is to draw from the many, in small sums, and almost always from those the least able to bear it; and where prizes are even fairly distributed, casting large sums upon single individuals, thus tending to render unequal the fortunes of men. It is not unfrequently the case, the fortunate drawer becomes the victim of his own good fortune. Finding himself suddenly possessed of wealth, idleness, profligacy, and abandoned habits are the result of the use of money thus acquired. It is one of the solemn duties of a legislature, so to direct the policy of its laws, as to guard the weak, inexperienced, and uninformed, against the wiles, intrigues, and fraud of the cunning and the knavish. There should be no legislative compacts, no leagues, no treaties of alliance, no good understanding between the law and vice. The law should denounce, repudiate, and condemn, in strong language, vice and immorality in every form. Man will err. He has his follies, his weaknesses, and his passions; he must look to those who partake of his nature for kind indulgence, forbearance, and forgiveness. Yet he must fall under the denunciation of the law, and be made to bow to its inflexible justice. Is it, then, consistent with the great principle of truth, to content ourselves with the idea that the end justifies the means? Shall the youth of the country be made to drink of the waters of vice, that they may get light and knowledge? Shall religion be made to boast of its heavenly triumph, when it shall be made to look to vice and immorality for the source of its glory? I know many of those whose names are placed in this bill, as the ostensible retailers from this store of vice. I believe they are good and true men—Christians, in the true sense of the word—who, though feeling a deep solicitude for the prosperity of the institution it seeks to advance, will repudiate and condemn this scheme of finance. Then it should not remain on the statutes as a pretext for others. I am fortified in this statement by a letter which I received from one of the most ardent friends of the institution, long one of its trustees, and from which I feel myself at liberty to make an extract. It is as follows:

"In the name of numerous brethren, with whom I have conversed, and from what I know to be the light in which these schemes of gambling are held by our

churches, I protest against this whole thing as a misrepresentation of the views and wishes of the board of trustees and of the churches of our communion. May I invoke deliverance from this curse, for my brethren, at your hands, by the righteous exercise of the veto?"

What excuse can I offer to myself for longer withholding my own opinions, when thus instructed by one of the founders and fast friends of the institution, and a member of that church which is fostering the college? The act of 1837, for the benefit of the Shelby College, as well as the present act, contains a provision that nothing therein shall be so construed as to repeal any provision of the general law against selling lottery tickets. These laws are, therefore, mere permits to raise money by lotteries, if it should be done by selling the tickets out of, but not within the state. In regard to the Shelby College, that provision was repealed, as there is good reason to believe, without attracting, at the time, the attention of the legislature.

I respectfully submit for your consideration the question, whether, as the only means of arresting this system of legislation, you had better not retrace your own steps and obliterate those of your predecessrs by a repeal of all lottery privileges? As to the power and right of the legislature to do so, I have scarcely a doubt upon my mind. The right to sell lottery tickets is based upon the exemption of the operation of the provisions of penal laws, denouncing heavy penalties on any who may be known to sell such tickets. In the very nature of things, the power to revoke such exemption must lie in the discretion of the legislature. To deny the continuance of such a privilege would not take away from the owner or reduce in value any thing which was his. Nor can it be contended that the public good conferred to the commonwealth or a local community, constitutes a valid consideration for the use of such a franchise. The commonwealth cannot part with her right to abate nuisances, or to denounce, by suitable penalties, that which affects the public morals. Such a privilege must, then, be reserved, with the implied understanding that the exemption should exist no longer than a just regard for the public morals would justify its continuance. Can it be maintained that any one legislature would have the power to exempt any man or set of men from the penalties denounced by general laws against murder, and theft, and robbery, in consideration of the promise to perform, or for the performance of any public service? Would such an act be binding on succeeding legislatures?

A special exemption from our penal laws, without consideration paid therefor, cannot be tortured into a contract perpetually obligatory on the government. That the beneficiaries may have sold the right can make no difference, for the assignees, by such sale, cannot be placed in any better condition than the original donee. I wish not to be considered as using, for *ad captandum* purposes, the familiar phrase of the day, that exclusive privileges should be granted to none. But there must be something in that phrase, or it must be considered a mere popular abstraction. In this view of the case, I respectfully submit whether, by giving special exemptions from the penalties of a general law, you do not confer upon the individual, thus exempted from a penalty which all his neighbors must suffer, an exclusive privilege; nor does the conferring such exemption for the benefit of any town, corporation, college, or other philanthropic purpose, alter the case. Virtue should never make the home of vice the place of its abode.

The constitution says: "that no man or set of men are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public service." Even this exception must be received with the qualification that the special privilege granted, must be consistent with the public good, and not at war with the peace and order of society.

I apprehend it would be a far-fetched conclusion to contend that the service of a college in the advancement of education, was such public service as contemplated by the constitution.

Is the state of Kentucky, proud in character, rich in resources, with morals equal to any other community, to begin a system of educating the youth of the country, upon funds which were won by legal fraud and device, and the cunning of its instruments, from the weak, unwary, unsuspecting, and, most generally, poorest part of our community? Shall she play vulture, and feed her young upon her own feathered, but weaker tribe?

For the foregoing reasons, I feel constrained to withhold my signature and approval of the bill returned. JOHN L. HELM.

EXECUTIVE DEPARTMENT, March 12, 1851.

The said bill reads as follows, viz:

AN ACT to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John T. Johnson, John Curd, John Duncan, Samuel Nuckols, James H. Davis, Henry Johnson, P. S. Fall, T. C. Flournoy, G. W. Williams, Thomas Smith, H. M. Bledsoe, Asa Runyon, John Bowman, Samuel Hatch, George L. Nuckols, and James Challen, be, and they are hereby, constituted a body politic and corporate, to be known and designated by the name and style of the Trustees of Bacon College; and by that name and style shall have perpetual succession and a common seal, with power to change and alter the same at pleasure; and, as a body corporate, shall be authorized to exercise all the rights, powers and privileges which are exercised by the trustees of the College at Danville, in this state; but the property of said corporation shall be subject to taxation, except the college buildings and five acres of ground around or near the same; and, on the death, resignation, or other disqualification of any of the said trustees, or their successors in office, a majority of those in office may fill such vacancy or vacancies, and the person or persons so appointed shall be vested with the same powers and privileges as those named in this act; and, by the name and style of the Trustees of Bacon College, may sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this state.

§ 2. That the property of said college may consist of stock, and said stock shall be divided into shares of five dollars each, to be paid as the by-laws of the said trustees shall direct, which stock shall be a perpetuul fund for purposes of education, in literature, science, and the arts; but no dividend shall ever accrue therefrom to any stockholder; nor shall said fund be applied to any purpose not herein specified. Said stock shall not be liable to taxation, nor to execution for the indebtedness of the stockholder. Each stockholder shall be entitled to receive, in tuition from said college, at the rate of six per cent. per annum upon the amount of stock taken, from the date of its payment, and every stockholder subscribing for and paying the amount of one hundred shares, shall be entitled to perpetual tuition in said college for any such subscription of one hundred shares. The trustees of said college may elect, from their own body, a president, secretary, and treasurer, who shall have power to open books for the subscription of stock, and upon its payment, issue certificates for the same.

§ 3. That it shall and may be lawful for said trustees and their successors in office, in their corporate capacity, to purchase, or receive by donation, devise, or bequest, any lands, tenements, or other property, and

to hold the same to them and their successors forever, for the use and benefit of said institution, to sell, transfer, and convey the same under the seal of said corporation.

§ 4. That the principal, or president of the faculty, shall be chairman of the board of trustees, and a majority of the trustees in office shall at all times constitute a quorum to transact business, and shall have power to meet at such times and places as they may elect for the transaction of business, and may make such rules and by-laws for the proper government of said institution as shall not be repugnant to the constitution and laws of the United States, or this state. The said trustees shall have power to select and appoint such officers, teachers, tutors and professors for the management of said institution as they may think necessary; to fix their salaries and prescribe their duties; to fix and prescribe the terms upon which the students may be admitted, and for any misconduct in any teacher, tutor, or professor, to dismiss such person from office, and to appoint another or others in their stead.

§ 5. That the said trustees shall keep a record of their proceedings, and if necessary, appoint a clerk to record the same, and to prescribe his duties. It shall be the duty of the chairman of the trustees to have recorded in the office of the county court where said institution is located, the names of the trustees thereof, and the names of such as may hereafter be appointed.

§ 6. That the real and personal estate acquired by this corporation shall at no time exceed the yearly rent of ten thousand dollars.

§ 7. That the funds raised for endowing any of the professorships shall never be appropriated to any other purpose, or diverted from the objects for which said funds may have been raised: *Provided, however*, that the interest of any of the funds, when not needed for any of the objects for which they were raised, may be appropriated as said trustees may direct.

§ 8. That it shall and may be lawful for John T. Johnson, John Curd, John Duncan, Samuel Nuckols, James H. Davis, Henry Johnson, P. S. Fall, T. C. Flournoy, G. W. Williams, Thomas Smith, H. M. Bledsoe, Asa Runyan, John Bowman, Samuel Hatch, George L. Nuckols, and James Challen, or their survivors and successors, now in office, to raise, by way of lottery, in one or more classes, as to them may seem expedient, any sum not exceeding fifty thousand dollars, to be appropriated to the use and benefit of Bacon College, located at Harrodsburg, in the county of Mercer; and the said named persons, or such of them as may see proper to act as managers, shall, before they enter upon the duties hereinafter assigned them by this act, enter into bond in the county court of Mercer, in the penalty of one hundred thousand dollars, conditioned for the faithful discharge of the duties hereinafter enjoined on them; and the said bond may be sued in the name of the commonwealth of Kentucky, for the use and benefit of any person or persons injured by a breach of the conditions of said bond. And it shall be the duty of said managers, within ninety days after the drawing of said lottery, or any class thereof, to pay or cause to be paid to the fortunate person or persons holding the ticket or tickets, all such prize or prizes as may be due, agreeably to the scheme which they, the said managers, may agree upon and publish: *Provided, however*, that such scheme shall not reserve more than twenty per cent. Said managers shall have the right to appoint

such officers as may be necessary to conduct said lottery, all of whom, before they enter upon the respective duties assigned them by the managers, shall take an oath, before some justice of the peace, faithfully and honestly to discharge the same.

§ 9. That said managers shall, within ninety days after the drawing of said lottery, or any class thereof, pay over to the trustees of Bacon College all sums of money which may be due in consequence of the drawing of said lottery, after the prizes have been paid.

§ 10. That the said managers shall be and they are hereby authorized to sell and dispose of said scheme, or any class thereof, to any person or persons who shall enter into bond with good security, conditioned well and faithfully to comply with all the terms and conditions prescribed in the eighth and ninth sections of this act, payable to the commonwealth of Kentucky; which bond or bonds shall be received by said managers, and be by them filed in the Mercer county court before said lottery, or any class thereof, shall be drawn: *Provided*, that nothing in this act contained shall be so construed as to repeal any provision of the general law of this commonwealth against selling or vending lottery tickets within this state.

GEO. W. JOHNSTON,
Speaker of the House of Representatives.
BEN. EDWARDS GREY,
Speaker of the Senate, pro tem.

The question was then taken, shall the bill pass, the Governor's objections to the contrary notwithstanding? and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	William Preston,
John B. Arnold,	Samuel L. Geiger,	Edward C. Purdy,
R. T. Baker,	Norvin Green,	John Rodman,
Robert H. Campbell,	Thomas S. Grundy,	C. C. Rogers,
George T. Campbell,	Samuel Hanson,	George W. Silvertooth,
Alexander P. Churchill,	Samuel B. Jesup,	Basil G. Smith,
Winston J. Davie,	George W. Kavanaugh,	William T. Ward,
Alvin Duvall,	Hiram Klette,	George W. Williams, of H.
Richard H. Field,	Joseph H. Lewis,	Marcus L. Williams,
Edgar B. Gaither,	William C. Marshall,	Edmund Wooldridge—30.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	James P. Metcalfe,
William W. Alexander,	Cyrenius W. Gilmore,	Strother D. Mitchell,
James B. Allen,	John G. Gooch,	George H. Morrow,
Robert A. Athey,	Alfred F. Graham,	Joel Murphy,
William Beeler,	Wm. H. Grainger,	Benjamin L. Owens,
William S. Black,	William M. Gray,	Joel Owsley,
William Bradley,	William M. Green,	Thomas W. Riley,
Carlo B. Brittain,	William Harris,	Burwell C. Ritter,
George I. Brown,	P. B. Hawkins,	Joseph W. Rowlett,
George P. Brown,	Stilwell Heady,	John L. Sallee,

John B. Bruner,
George R. Burgess,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
William H. Gardner,
Lysander Hord,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
John Shawhan,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
James T. Woodward—58.

At quarter of six o'clock, P. M., Mr. Rogers moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
George I. Brown,
William H. Calvert,
Robert H. Campbell,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Hiram Klette,
Peter Lashbrooke,
Joseph H. Lewis,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
Benjamin L. Owens,
Joel Owsley,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
John L. Sallee,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
Thomas Todd,
Thomas W. Varnon,
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—47.

Those who voted in the negative, were

William W. Alexander,
James B. Allen,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Wm. H. Gardner,
William H. Grainger,
Norvin Green,
William M. Green,
George M. Hampton,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Preston H. Leslie,
Caleb W. Logan,
George W. Mansfield,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John Shawhan,
John Tompson,
William T. Ward,
G. W. Williams, of B.
Marcus L. Williams—43.

And then the House adjourned.

THURSDAY, MARCH 13, 1851.

Mr. Williams, of Hancock, presented the petition of citizens of Hancock county, praying for the improvement of the navigation of Blackford's creek, in said county, which was received, the reading dispensed with, and referred to the committee on County Courts.

On motion of Mr Silvertooth, leave was given to bring in a bill to repeal all laws granting lottery privileges.

Ordered, That the committee on the Judiciary prepare and bring in the same.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to give the Carroll County Court control of the State roads in said county, with amendments.

That they had passed bills of the following titles, viz:

An act to incorporate the Waidsboro' and Marshall County Seminary.

An act authorizing an alley to be closed in the town of Portland.

An act to reduce into one the several acts concerning the town of Campbellsville, in Taylor county.

The House again resumed the consideration of the bill to charter the city of Louisville; and, after some discussion had thereon, the House proceeded to the orders of the day.

Mr. A. G. Talbott, from the committee to whom was referred the bill to abolish the office of President of the Board of Internal Improvement, and change the organization of said Board, reported the same without amendment.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of president of the board of internal improvement shall be and the same is hereby abolished.

§ 2. That the governor, for the time being, shall be *ex-officio*, a member and president of said board.

§ 3. That said board shall hereafter consist of the governor as president, and of the first auditor of public accounts, for the time being, who shall continue as such member until the first day of September, one thousand eight hundred and fifty-one, and of another member, to be appointed by the governor, by and with the advice and consent of the senate, who shall hold his office for one year, and until the appointment and qualification of his sucsessor; and from and after the said first day of September, the auditor of public accounts, for the time being, shall be a member of said board.

§ 4. That so much of the act, entitled, "an act to amend the law establishing the board of internal improvements," approved March 3, 1842, as

authorizes the appointment of secretary of said board, at an annual salary of five hundred dollars, shall be and the same is hereby repealed, and the said office of secretary of said board is hereby abolished.

§ 5. That the first auditor of public accounts shall, *ex-officio*, perform the duties of secretary of said board until the first day of September, one thousand eight hundred and fifty one, and thereafter the auditor of public accounts, for the time being, shall *ex-officio* perform said duties.

Mr. Ward moved to amend said bill by striking out the fourth section.

Mr. McFarland moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Landes, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	P. B. Hawkins,	Strother D. Mitchell,
R. T. Baker,	Lysander Hord,	William B. Murphy,
William Beeler,	Samuel A. Kingman,	John Rodman,
George I. Brown,	Hiram Klette,	Albert G. Talbott,
John B. Bruner,	Preston H. Leslie,	Jesse S. Taylor,
George R. Burgess,	Caleb W. Logan,	Thomas Todd,
Robert H. Campbell,	William C. Marshall,	Edmund Wooldridge—23.
John G. Gooch,	John S. McFarland,	

Those who voted in the negative, were

James M. Alexander,	Squire Gatliff,	George H. Morrow,
James B. Allen,	Samuel L. Geiger,	Joel Murphy,
John B. Arnold,	Cyrenius W. Gilmore,	Benjamin L. Owens,
William S. Black,	Alfred F. Graham,	Joel Owsley,
William Bradley,	Wm. M. Gray,	Edward C. Purdy,
Carlo B. Brittain,	Norvin Green,	Thomas W. Riley,
George P. Brown,	William M. Green,	Burwell C. Ritter,
William H. Calvert,	Thomas S. Grundy,	C. C. Rogers,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel Hanson,	John L. Sallee,
John W. Cook,	Wm. Harris,	John Shawhan,
Winston J. Davie,	Stilwell Heady,	George W. Silvertooth,
Asbury Dawson,	Samuel B. Jesup,	Basil G. Smith,
Lucius Desha,	George W. Kavanaugh,	John Tompson,
Joseph Dougherty,	Daniel Landes,	Thomas W. Varnon,
Edward F. Dulin,	Joseph H. Lewis,	William T. Ward,
Alvin Duvall,	Andrew S. Linn,	G. W. Williams, of B.
Robert English,	George W. Mansfield,	G. W. Williams, of H.
Edgar B. Gaither,	Daniel Matthewson,	Marcus L. Williams,
Wm. H. Gardner,	James P. Metcalfe,	James T. Woodward—61.
Bernard H. Garrett,		

Mr. Hanson then moved to lay the amendment of Mr. Ward on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hanson and Leslie, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
William H. Gardner,
Squire Gatliff,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Andrew S. Linn,
George W. Mansfield,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
John Rodman,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson,
G. W. Williams, of B—46.

Those who voted in the negative, were

James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
P. B. Hawkins,
Lysander Hord,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
Daniel Matthewson,
John S. McFarland,
Joel Murphy,
William B. Murphy,
William Preston,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—38.

Mr. Metcalfe moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Rogers, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Beeler,
Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Cyrenius W. Gilmore,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
John Shawhan,
Basil G. Smith,

Joseph Dougherty, Wm. Harris, Wm. T. Terrill,
Edward F. Dulin, Stilwell Heady, John Tompson,
Alvin Duvall, Daniel Landes, G. W. Williams, of B.
Robert English, George W. Mansfield, Marcus L. Williams,
Richard H. Field, Daniel Matthewson, James T. Woodward—48.

Those who voted in the negative, were

William W. Alexander, Samuel L. Geiger, William Preston,
Robert A. Athey, John G. Gooch, C. C. Rogers,
R. T. Baker, P. B. Hawkins, Joseph W. Rowlett,
George I. Brown, Lysander Hord, John L. Sallee,
George P. Brown, Samuel B. Jesup, Albert G. Talbott,
John B. Bruner, George W. Kavanaugh, Ambrose H. Talbott,
George R. Burgess, Hiram Klette, Jesse S. Taylor,
William H. Calvert, Preston H. Leslie, Thomas Todd,
Robert H. Campbell, Joseph H. Lewis, Thomas W. Varnon,
Alexander P. Churchill, John S. McFarland, William T. Ward,
Winston J. Davie, Strother D. Mitchell, G. W. Williams, of H.
Bernard H. Garrett, William B. Murphy, Edmund Wooldridge—36.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Hanson moved the previous question, and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Hawkins, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen, Samuel L. Geiger, George H. Morrow,
John B. Arnold, Cyrenius W. Gilmore, Joel Murphy,
Wm. Beeler, Alfred F. Graham, Benjamin L. Owens,
William S. Black, William M. Gray, Joel Owsley,
Wm. Bradley, Norvin Green, Edward C. Purdy,
Carlo B. Brittain, Wm. M. Green, Thomas W. Riley,
George T. Campbell, Thomas S. Grundy, Burwell C. Ritter,
Henry R. D. Coleman, George M. Hampton, C. C. Rogers,
John W. Cook, Samuel Hanson, Joseph W. Rowlett,
Winston J. Davie, William Harris, John L. Sallee,
Asbury Dawson, Stilwell Heady, John Shawhan,
Lucius Desha, Samuel B. Jesup, George W. Silvertooth,
Joseph Dougherty, George W. Kavanaugh, Basil G. Smith,
Edward F. Dulin, Daniel Landes, Ambrose H. Talbott,
Alvin Duvall, Andrew S. Linn, William T. Terrill,
Robert English, George W. Mansfield, John Tompson,
Richard H. Field, Daniel Matthewson, Thomas W. Varnon,
Edgar B. Gaither, Hiram McElroy, George W. Williams, of B.
William H. Gardner, James P. Metcalfe, James T. Woodward—58.
Squire Gatliff,

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alexander P. Churchill,	John S. McFarland,
James M. Alexander,	John G. Gooch,	Strother D. Mitchell,
William W. Alexander,	William H. Grainger,	John Rodman,
Robert A. Athey,	P. B. Hawkins,	Albert G. Talbott,
R. T. Baker,	Lysander Hord,	Jesse S. Taylor,
George I. Brown,	Samuel A. Kingman,	Thomas Todd,
George P. Brown,	Hiram Klette,	William T. Ward,
John B. Bruner,	Preston H. Leslie,	G. W. Williams, of H.
George R. Burgess,	Joseph H. Lewis,	Edmund Wooldridge—29.
Wm. H. Calvert,	William C. Marshall,	

Resolved, That the title thereof be as aforesaid.

Mr. Landes moved a reconsideration of the vote rejecting the bill, entitled, an act to amend an act, entitled, an act to incorporate the Trustees of Bacon College, located at Harrodsburg.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grainger and Logan, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	Daniel Landes,
James M. Alexander,	Wm. H. Gardner,	Joseph H. Lewis,
John B. Arnold,	Bernard H. Garrett,	Wm. C. Marshall,
Robert A. Athey,	Squire Gatliff,	George H. Morrow,
R. T. Baker,	Samuel L. Geiger,	Edward C. Purdy,
George R. Burgess,	Norvin Green,	John Rodman,
Robert H. Campbell,	Thomas S. Grundy,	George W. Silvertooth,
George T. Campbell,	George M. Hampton,	Basil G. Smith,
Alexander P. Churchill,	Samuel Hanson,	Ambrose H. Talbott,
Henry R. D. Coleman,	P. B. Hawkins,	Thomas Todd,
Winston J. Davie,	Lysander Hord,	William T. Ward,
Asbury Dawson,	Samuel B. Jesup,	G. W. Williams, of H.
Edward F. Dulin,	George W. Kavanaugh,	Marcus L. Williams,
Alvin Duvall,	Hiram Klette,	Edmund Wooldridge—43
Richard H. Field,		

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	Strother D. Mitchell,
William Beeler,	William H. Grainger,	Joel Murphy,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	William M. Green,	Joel Owsley,
Carlo B. Brittain,	William Harris,	Burwell C. Ritter,
George I. Brown,	Stilwell Heady,	Joseph W. Rowlett,
George P. Brown,	Preston H. Leslie,	John L. Sallee,
John B. Bruner,	Andrew S. Linn,	John Shawhan,
John W. Cook,	Caleb W. Logan,	Jesse S. Taylor,

Lucius Desha,
Joseph Dougherty,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B—41.

The question was again taken on the passage of said bill, the objections of the Governor to the contrary, notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Joseph H. Lewis,
William C. Marshall,
George H. Morrow,
Joel Murphy,
Edward C. Purdy,
John Rodman,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
Edmund Wooldridge—41.

Those who voted in the negative, were

James B. Allen,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
Henry R. D. Coleman,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
William M. Gray,
William M. Green,
William Harris,
Stilwell Heady,
Preston H. Leslie,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Benjamin L. Owens,
Joel Owsley,
Thomas W. Riley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon,
G. W. Williams, of B.
James T. Woodward—44.

Mr. Williams, of Bourbon, from the committee on the Court of Appeals, reported a bill to fix the salary of the Clerk of the Court of Appeals, and to direct the fees of his office to be paid into the Treasury, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for the 17th instant, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. A. H. Talbott moved a reconsideration of the vote ordering the bill to provide for the payment of jurors who try cases before Magistrates, to be engrossed and read the third time, and it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary, and that they report the same to the House on Saturday next, at 10 o'clock, A. M.

The House again resumed the consideration of the bill to fix the salaries of officers of this Commonwealth.

Mr. Rogers moved to amend said bill by striking out of the salary of the first clerk in the Register's office, the words "five hundred," and insert "six hundred," and it was decided in the affirmative.

Mr. Ward moved to amend said bill by striking out of the salary of the clerk of the Secretary's office, the words "five hundred and fifty," and insert "six hundred and sixty-six," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Heady, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel Hanson,	Joel Murphy,
James M. Alexander,	P. B. Hawkins,	Edward C. Purdy,
Wm. W. Alexander,	Stilwell Heady,	Thomas W. Riley,
Robert A. Athey,	Lysander Hord,	Burwell C. Ritter,
R. T. Baker,	George W. Kavanaugh,	John Rodman,
Wm. Bradley,	Samuel A. Kingman,	C. C. Rogers,
George I. Brown,	Hiram Klette,	George W. Silvertooth,
George P. Brown,	Daniel Landes,	Albert G. Talbott,
John B. Bruner,	Joseph H. Lewis,	Ambrose H. Talbott,
George R. Burgess,	Andrew S. Linn,	Jesse S. Taylor,
Robert H. Campbell,	Caleb W. Logan,	Thomas Todd,
Alexander P. Churchill,	Wm. C. Marshall,	John Tompson,
Edward F. Dulin,	Daniel Matthewson,	Thomas W. Varnon,
Alvin Duvall,	Hiram McElroy,	William T. Ward,
Robert English,	John S. McFarland,	G. W. Williams, of H.
Wm. H. Gardner,	James P. Metcalfe,	Marcus L. Williams,
Bernard H. Garrett,	Strother D. Mitchell,	Edmund Wooldridge—52.
Wm. H. Grainger,		

Those who voted in the negative, were

James B. Allen,	Richard H. Field,	Samuel B. Jesup,
John B. Arnold,	Edgar B. Gaither,	Preston H. Leslie,
Wm. Beeler,	Squire Gatliff,	George W. Mansfield,
Wm. S. Black,	Samuel L. Geiger,	George H. Morrow,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Benjamin L. Owens,
Wm. H. Calvert,	John G. Gooch,	Joel Owsley,

George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Wm. Harris,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Wm. T. Terrill,
G. W. Williams, of B.
James T. Woodward—39.

Mr. Duvall moved to amend said bill by striking out of the salary of the Judges of the Court of Appeals, the words "fifteen hundred," and insert "two thousand."

Mr. Williams, of Bourbon, called for a division of the question.

Mr. Brittain moved to lay said motion on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
John B. Bruner,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
William T. Ward—50.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
William H. Gardner,
Bernard H. Garrett,
Wm. H. Grainger,
William M. Green,
Samuel Hanson,
Lysander Hord,
Samuel A. Kingman,
Hiram Klette,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
James P. Metcalfe,
William B. Murphy,
William Preston,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
G. W. Williams, of B.
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—39.

Mr. Duvall moved to amend said bill by striking out of the salary of the Judges of the Circuit Courts, the words "twelve hundred," and insert "fifteen hundred."

Mr. W. M. Green called for a division of the question.

The question was then taken on striking out "twelve hundred," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cook and Hanson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Gardner,	Strother D. Mitchell,
James M. Alexander,	Bernard H. Garrett,	Joel Murphy,
William W. Alexander,	William H. Grainger,	Wm. B. Murphy,
James B. Allen,	William M. Green,	William Preston,
Robert A. Athey,	Samuel Hanson,	Edward C. Purdy,
R. T. Baker,	Lysander Hord,	Thomas W. Riley,
Carlo B. Brittain,	Samuel B. Jesup,	John Rodman,
George I. Brown,	George W. Kavanaugh,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	George W. Silvertooth,
William H. Calvert,	Hiram Klette,	Ambrose H. Talbott,
Robert H. Campbell,	Daniel Landes,	Thomas Todd,
George T. Campbell,	Joseph H. Lewis,	Thomas W. Varnon,
Henry R. D. Coleman,	Andrew S. Linn,	William T. Ward,
Winston J. Davie,	Caleb W. Logan,	G. W. Williams, of B.
Lucius Desha,	William C. Marshall,	G. W. Williams, of H.
Edward F. Dulin,	Daniel Matthewson,	Marcus L. Williams,
Alvin Duvall,	John S. McFarland,	James T. Woodward,
Richard H. Field,	James P. Metcalfe,	Edmund Wooldridge—54.

Those who voted in the negative, were

John B. Arnold,	Cyrenius W. Gilmore,	Hiram McElroy,
Wm. Beeler,	John G. Gooch,	George H. Morrow,
William S. Black,	Alfred F. Graham,	Joel Owsley,
William Bradley,	William M. Gray,	Burwell C. Ritter,
George P. Brown,	Norvin Green,	Joseph W. Rowlett,
George R. Burgess,	Thomas S. Grundy,	John L. Sallee,
John W. Cook,	George M. Hampton,	John Shawhan,
Asbury Dawson,	William Harris,	Basil G. Smith,
Joseph Dougherty,	P. B. Hawkins,	Jesse S. Taylor,
Robert English,	Stilwell Heady,	William T. Terrill,
Edgar B. Gaither,	Preston H. Leslie,	John Tompson—35.
Squire Gatliff,	George W. Mansfield,	

Mr. Athey moved to fill the blank in the salary of the Circuit Judges, by inserting the words "nineteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Athey and Hampton, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
Robert A. Athey,
R. T. Baker,
Robert H. Campbell,
Alexander P. Churchill,
William H. Grainger,
Caleb W. Logan,
Wm. Preston,
C. C. Rogers,
Thomas Todd.
G. W. Williams, of B.
Edmund Wooldridge—13.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Joel Owsley,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—77.

Mr. R. H. Campbell moved to fill the blank, in the salary of the Circuit Judges, by inserting the words "eighteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Hampton, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Wm. W. Alexander,
Robert A. Athey,
R. T. Baker,
Robert H. Campbell,
Alexander P. Churchill,
Wm. H. Grainger,
Lysander Hord,
Caleb W. Logan,
William B. Murphy,
William Preston,
Thomas W. Riley,
C. C. Rogers,
Thomas Todd,
G. W. Williams, of B.
Edmund Wooldridge—16.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Wm. C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—74.

Mr. Williams, of Bourbon, moved to fill the blank in the salary of the Circuit Court Judges, by inserting the words "seventeen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dawson and J. M. Alexander, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
Robert H. Campbell,
Alexander P. Churchill,
Alvin Duvall,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Wm. H. Grainger,
Lysander Hord,
Samuel A. Kingman,
Andrew S. Linn,
Caleb W. Logan,
William B. Murphy,
William Preston,
Thomas W. Riley,
C. C. Rogers,
Thomas Todd,
G. W. Williams, of B.
Edmund Wooldridge—23.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
Joseph W. Rowlett,

George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
William Harris,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
Thomas W. Varnon,
William T. Ward,
George W. Williams, of H.
Marcus L. Williams—68.

Mr. Duvall then moved to fill the blank with the words "fifteen hundred," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hampton and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Edward F. Dulin,
Alvin Duvall,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
Samuel Hanson,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
William C. Marshall,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Wm. B. Murphy,
William Preston,
Thomas W. Riley,
John Rodman,
C. C. Rogers,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—53.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
William H. Calvert,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
William Harris,
P. B. Hawkins,
Stilwell Heady,
George W. Kavanaugh,
Preston H. Leslie,
George W. Mansfield,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
William T. Terrill—41.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled, an act to establish a Code of Practice in civil cases in the Courts of this Commonwealth, with an amendment.

The said amendment was then twice read and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hord—1. A bill in relation to the Marshal of the city of Frankfort.

On motion of Mr. Hawkins—2. A bill to authorize the sale of Pleasant Grove Meeting House, in Simpson county.

Ordered, That the comittee on the Judiciary prepare and bring in the first, and Messrs. Hawkins, Landes, and Dawson, the second.

Mr. Hanson, from the committee on the Judiciary, reported a bill to amend the charter of the Lexington Insurance Company, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing their disagreement to the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky.

And then the House adjourned.

FRIDAY, MARCH 14, 1851.

1. Mr. Ward presented the petition of citizens of Green county, praying a change of the voting place in Green county.

2. Also, the petition of William S. Patton and Lewis Strader, School Commissioners of Green county.

3. Also, the petition of citizens of Trimble county, praying the repeal of an act prohibiting fishing in Barebone Creek.

4. Mr. Rodman presented the petition of citizens of Oldham county, in relation to Magistrates' and Constables' Districts in said county.

5. Also, the petition of citizens of Oldham county, in relation to the same subject.

6. Mr. Varnon presented the petition of citizens of Lincoln county, praying that the Trustees of Stanford may be authorized to compel the citizens to make pavements in front of their lots.

7. Mr. Garrett presented the petition of citizens in District, No. 2, in Pike county, praying a change in the lines of said district.

8. Mr. Duvall presented the petition of citizens of Scott county, praying that the Judge of the Circuit Court of said county be permitted to sign the orders of the last February term.

9. Mr. Lewis presented the petition of citizens of Barren county, praying a change in a Justice's district in said county.

Which were received, the reading dispensed with, and referred—the 1st, 4th, 5th, 7th, and 9th, to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 2d to the committee on Education; and the 3d, 6th, and 8th, to the committee on the Judiciary.

A message was received from the Senate, announcing their concurrence in the amendment of this House, to the amendment of the Senate, to a bill from this House, entitled, an act to authorize the County Court of Nelson to subscribe stock in the Louisville and Nashville Railroad Company.

That they had disagreed to the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend the charter of the Lexington and Danville Railroad Company.

An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend the charter of the town of Hardinsburg.

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act to authorize the city of Louisville to subscribe stock in certain railroads.

An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Common Schools in Anderson county.

An act to amend an act creating the offices of Police Judge and Town Marshals in the towns of Clinton and Moscow, in Hickman county.

An act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad, approved March 4, 1850.

With amendments to the last named bill.

That they had passed bills and a resolution of the following titles, viz:

An act to provide for a special Court of Appeals.

An act to incorporate the Greenville Mansion Hotel Company.

An act to incorporate the Paint Lick Presbyterian Church, in Garrard county.

An act to amend the charter of the town of Crittenden, in Grant county.

A resolution providing for a joint committee to bring in a bill for the appropriation of money.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same, reported the same without amendment.

Ordered, That said bill be read a third time.

On motion of Mr. Wooldridge,

Ordered, That said bill have its third reading on to-morrow at 11 o'clock, A. M.

The House resumed the consideration of the bill to charter the city of Louisville.

The 10th article of said bill, as reported by the committee, (the words printed in *italics* having been stricken out by the committee,) reads as follows, viz:

ARTICLE X.

§ 1. At the first election for the city officers under this charter, there shall be elected by the qualified voters in each ward of said city, two persons, qualified as hereinbefore provided, as Trustees OF THE UNIVERSITY AND Public Schools of Louisville, and the persons so elected shall constitute and be styled the "Board of Trustees *of the University and* Public Schools of Louisville;" and the Board of Trustees first elected shall, within three months after their election, cause the Trustees from each ward to be divided by lot into two classes, and the members of the first class shall vacate their offices at the end of one year from the day of their general election, and those of the second class at the end of two years from the day of their general election; and annually thereafter there shall be elected by the qualified voters in each ward, one qualified person as Trustee of the *University and* Public Schools of Louisville, who shall hold office for two years and no longer.

§ 2. The control and management of the *University of Louisville, and* of the High School for Females, and of the Public Schools of Louisville, and of the property and funds belonging thereto, and which may accrue in any way to them, and for their establishment, management and maintenance under the provisions of this charter or otherwise, shall be vested in the said Board of Trustees, subject to the provisions of this charter and the ordinances passed by the General Council in relation thereto.

§ 3. The said Board of Trustees shall, before entering upon the duties of their offices, make oath or affirmation before some judicial officer of this Commonwealth, faithfully to discharge the duties enjoined upon them by this charter and the ordinances of the General Council of said city.

§ 4. The said Board of Trustees shall have power to make by-laws, not in conflict with this charter or the city ordinances, for carrying out the duties of their office, and to determine their own rates of proceeding, but a majority of the whole board shall be necessary to form a quorum for the transaction of business, and they shall meet at least once a month, and oftener if necessary, for the transaction of business; and no appropriation of money shall be made by said board without the concurrence of a majority of the members elect in office. And said board shall keep a correct record of all their proceedings in a book provided for the purpose, which shall be at all times open to the inspection of the citizens, of the Mayor, and of any member of the General Council.

§ 5. The said Board of Trustees shall elect *a President and the professors of the University of Louisville*, the teachers of the High School for Females and of the Public Schools of Louisville, regulate and fix the salaries of *such President, professors and* teachers, and dismiss or suspend any teacher for misconduct or neglect of duty, prescribe the branches of education to be taught *in the academical department of said University*, in the High School for Females, and in the Public Schools of Louisville; prescribe the necessary qualifications for and the mode of examination of pupils applying for admission to the *said academical department and* High School for Females, and the number of pupils annually to be admitted to each; and they shall also fix the bounds of districts for each public school within which the children shall be entitled to admission to said school, and shall provide class books for children attending the public schools, whose parents are unable to purchase them. It is provided, however, that all free white children over six years of age, within said district, shall have equal rights of admission to the schools of that district, and that no catechism or other form of religious belief shall be taught or inculcated in; nor shall any class book be used or adopted for said schools which reflects upon any religious denomination, nor shall any of said schools be so conducted as to interfere with the religious belief of parents of pupils: *and it is also provided*, that for the first two years after the opening for the reception of pupils *of said academical department of said University and* of said High School for Females, all children of prescribed age and qualifications shall have equal rights of admission to and the enjoyment of such education as *said academical department or* said High School can confer; but after said two years, no pupil shall be admitted to *said academical department or* said High School, who has not attended at least one scholastic year in one or more of the public schools of Louisville, *except* that all orphan children raised and educated at either of the orphan asylums in said city, or in any other charitable institution now or hereafter established in said city, of the prescribed age and proficiency in learning, shall be entitled to the rights of admission to *said academical department or* said High School, and to the benefits of such education as may be conferred there. *And it is further provided*, that no fees for tuition shall ever be charged *in said academical department of said University*, in said High School for Females, or in said Public Schools of Louisville.

§ 6. The said Board of Trustees shall elect a principal Secretary, who shall be school agent and attend all meetings of said Board of Trustees, keep their records and perform such other duties as may be required of him by said Board of Trustees, or prescribed by ordinance, and who shall receive for his services an annual salary of not less than $500, to be fixed by ordinance, payable quarterly.

§ 7. The said Board of Trustees shall, at the end of each scholastic year, and at other times if required by the General Council, make out and report to said Council a written or printed statement in such form as may be prescribed by the

said Council, showing the number of students *in each department of the University of Louisville*, in the High School for Females, and in each of the public schools of Louisville, and the condition and the amount of property and funds belonging thereto, and such other information as the General Council may from time to time require.

§ 8. It shall be the duty of the General Council first elected under this charter to establish or create by ordinance a sufficient fund, and appropriate the same for the erection, establishment and maintenance of *said University of Louisville and* Public Schools of Louisville, under the control and management of the Board of Trustees hereinbefore provided for, *and the said Trustees shall, in the building provided therefor, on the University Square in said city, establish and maintain the academical department of said University of Louisville,* and cause to be erected in each ward of said city a school house or school houses, of uniform, suitable and convenient construction, for the instruction of all qualified children applying for admission thereto, and with separate apartments for teaching male and female children. And in the year 1852, the General Council shall cause to be erected a suitable building or buildings, centrally located, and establish and maintain therein a High School for females, wherein the female children of the prescribed age and qualifications as hereinbefore provided, shall be admitted, and receive instruction in such branches of education as the said Board of Trustees may prescribe to be taught therein.

§ 9. For the purpose of raising money for the maintenance of the University of Louisville, the High School for females and the Public Schools of Louisville, as above provided for, the General Council of said city shall, in the year 1851, and annually thereafter, cause to be levied and collected, a tax of not less than twelve and a half cents, nor more than twenty-five cents on each one hundred dollars worth of the property assessed for taxation within the city limits, as provided for in article fourth, sections one and two, of this charter; and for the same purposes, and no other, shall be appropriated the sum or sums which may be received from year to year, as the portion of the said city of the School Fund of this Commonwealth. and all fines and forfeitures collected in the city court of Louisville, for the use of the said University and Public Schools of Louisville, as hereinbefore provided; and so much as may arise from real, personal, or mixed property in the city of Louisville, which from alienage, defect of heirs, or failure of kindred, capable in law to take the same, shall escheat to the Commonwealth of Kentucky, and which is hereby declared vested in the said Board of Trustees for the use and benefit of the University and Public Schools of Louisville, and the said city, by the Mayor thereof, or such officer as the General Council may appoint for that purpose, shall enter upon and take possession of any and all such property, or in its corporate name sue for and recover the same or any chose of action, right or credit of such decedent, and reduce the entire estate into possession as aforesaid, without office found.

And the said Council shall furnish to said Board of Trustees, an adequate amount of money, credit, or property, to enable the said Board of Trustees to build or procure such school house or school houses in each ward as hereinbefore provided for, and the amount of money, credit, or property, shall be in addition to the amount hereinbefore provided for, for the use and benefit of said University and High School for females, and said Public Schools.

§ 10. Should the provisions hereinbefore made for raising means for the establishment and maintenance of said University, and said High School for females and said Public Schools of Louisville, and for the erection of school houses as hereinbefore provided for, it shall be the duty of the General Council first elected under this charter, to pledge the credit of the said city for any sum or sums of money, not exceeding seventy-five thousand dollars, to carry into effect the educational system herein provided for, and the amount of money raised under this sec-

tion, shall be repaid out of the surplus that, from time to time may exist, of monies raised by taxation, or otherwise accruing to the use and support of said University and Public Schools of Louisville.

§ 11. It shall be the duty of the Board of Trustees, upon the completion of the assessment of property for taxation, annually to ascertain the sum likely to accrue from taxation, for the use of said University and Public Schools for the current fiscal year, and also to ascertain and estimate, as correctly as may be, the whole amount of means applicable to educational purposes, for the current fiscal year; and said Board of Trustees shall not expend or contract for the payment of a larger sum than the estimated, to be received for the year: *Provided, however,* that this section shall not be construed as to prevent said Board of Trustees from receiving and expending any sum that may come to them by gift or devise, or by any law of the commonwealth or ordinances of the city, passed hereafter.

§ 12. The said Board of Trustees shall have power to examine, or cause to be examined, by competent persons, all applicants for the office of teacher in the High School for females and in the Public Schools of Louisville.

§ 13. No portion of the property or funds, held or raised for the *University and* Public Schools of Louisville, shall ever be applied to the support of any school or schools, which is or are not entirely under the control and management, in every particular, as the Public Schools of Louisville are, of the said Board of Trustees of the *University and* Public Schools of Louisville.

§ 14. The said Board of Trustees, and their successors in office, as provided for herein, shall take and hold the possession of all property and funds set apart for the use of said *University and* High School for females, and the Public Schools of Louisville, for educational purposes in said city; but the University square and all the property of the University of Louisville, shall be held to the uses and purposes set forth in the deed of donation made by the Mayor and Council of said city to the President and Trustees of the Medical Institute of Louisville, and in accordance with the resolutions adopted by the people of said city, in mass meeting, at the Radical Methodist Church, on the 20th day of October, 1837.

Mr. Preston moved to amend said article, by inserting the words printed in *italics*.

Mr. Lewis moved to amend said bill by adding to the 19th section and 7th article, the following proviso, viz:

Provided, This section shall not extend or apply to the Trustees of the University of Louisville.

Mr. Arnold moved the previous question, and it was decided in the affirmative.

The question was first taken on the amendment proposed by Mr. Preston, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Churchill and Grainger, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	James P. Metcalfe,
James B. Allen,	Alfred F. Graham,	George H. Morrow,
John B. Arnold,	William H. Grainger,	Joel Murphy,
Robert A. Athey,	William M. Gray,	Joel Owsley,
William S. Black,	William M. Green,	Wm. Preston,
George R. Burgess,	George M. Hampton,	Edward C. Purdy,

95

Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Edgar B. Gaither,
Squire Gatliff,
Samuel Hanson,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Burwell C. Ritter,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
John Tompson,
Thomas W. Varnon,
James T. Woodward—47.

Those who voted in the negative, were

William W. Alexander,
R. T. Baker,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Alexander P. Churchill,
Winston J. Davie,
Robert English,
Richard H. Field,
Wm. H. Gardner,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Thomas S. Grundy,
Lysander Hord,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
Strother D. Mitchell,
William B. Murphy,
Thomas W. Riley,
C. C. Rogers,
John L. Sallee,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams—32.

The question was then taken on the adoption of the amendment proposed by Mr. Lewis, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taylor and Preston, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,
R. T. Baker,
Wm. Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Alexander P. Churchill,
Winston J. Davie,
Robert English,
William H. Gardner,
Cyrenius W. Gilmore,
Thomas S. Grundy,
Lysander Hord,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Strother D. Mitchell,
Wm. B. Murphy,
Thomas W. Riley,
C. C. Rogers,
John L. Sallee,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Marcus L. Williams—27.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James B. Allen,
John B. Arnold,
Robert A. Athey,
George R. Burgess,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Wm. M. Green,
Samuel Hanson,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Wm. Preston,
Edward C. Purdy,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,

Alvin Duvall, Peter Lashbrooke, Albert G. Talbott,
Richard H. Field, Caleb W. Logan, John Tompson,
Edgar B. Gaither, George W. Mansfield, James T. Woodward—49.
Squire Gatliff,

The first section of the first article of said bill reads as follows:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* [That the inhabitants within that part of Jefferson county, beginning at a point on the northwardly side of the Ohio river, at low water mark, due north from the corner on the south side of the Ohio river between Shippingport and Portland, thence due south to said corner, thence with the line between Shippingport and Portland, to where a line continued through the centre of 8th street, in the changed plan of Portland, would intersect the said line between Shippingport and Portland, thence with the said line continued through the centre of said 8th street, to the centre of the Portland avenue, thence westwardly down the centre of said avenue, to a point opposite the centre of the Shippingport and Salt river road, thence with said road to a point in the centre of said road, three hundred and thirty feet south of the south line of Kentucky street, extended, thence parallel with Kentucky street, eastwardly with the southern lines of lots, numbered from seventy-four to sixty-four inclusive, in Bullitt's Addition to Louisville, to the eastern side of Pope street, thence with said Pope street, northwardly, to the southern line of Campbell street, in Campbell's Addition, thence with said line of Campbell street, and the same extended to the south fork of Bear Grass Creek, thence a direct line to the corner of the Cave Hill Cemetery and Tompkins'—late Pettit and Southard's—on the Bardstown Turnpike road, thence with the lines of the Cave Hill Cemetery, and the Cave Hill tract to Southall and Charlton's original line, thence with said Southall and Charlton's original line to the middle fork of Bear Grass Creek, thence by a direct line, which being continued would strike the corner common to Pope and Geiger, on the Ohio river, to the centre of Bear Grass Creek, below the bridge over said Creek, on the Louisville and Bardstown Turnpike Road, thence with said Creek to the line common to Pope and Geiger, thence with said line to low water mark on the south side of the Ohio river, thence due north to low water mark, on the north side of the Ohio river at low water mark, and thence down said river with its meanders to the beginning;] shall be incorporated into a city by the name and style of the "City of Louisville," and shall be a body corporate and politic forever, retaining and possessing the power to sue and to be sued, to contract and to be contracted with, to have and to use a common seal, and the same to alter and to amend at pleasure, and to hold, enjoy, sell, and dispose of any property now vested in the city of Louisville, or in any person or corporation to the use of said city, to the intents and purposes for which the same was taken or granted. And in all suits against the said corporation, service of process upon the Mayor thereof shall be sufficient.

By the unanimous consent of the House, Mr. Churchill moved to amend said section, by striking out all that part printed within [brackets,] and insert in lieu thereof the following, viz:

That the boundaries of the city of Louisville, shall be as now prescribed by law, and the inhabitants therein.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Preston and Rogers, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Bernard H. Garrett,	Benjamin L. Owens,
R. T. Baker,	Samuel L. Geiger,	Edward C. Purdy,
William Bradley,	Cyrenius W. Gilmore,	Thomas W. Riley,
George I. Brown,	Thomas S. Grundy,	Burwell C. Ritter,
George P. Brown,	George M. Hampton,	C. C. Rogers,
John B. Bruner,	Stilwell Heady,	Joseph W. Rowlett,
Wm. H. Calvert,	Lysander Hord,	John L. Sallee,
Alexander P. Churchill,	Samuel A. Kingman,	John Shawhan,
Winston J. Davie,	Daniel Landes,	George W. Silvertooth,
Asbury Dawson,	Peter Lashbrooke,	Albert G. Talbott,
Lucius Desha,	Preston H. Leslie,	Jesse S. Taylor,
Edward F. Dulin,	Andrew S. Linn,	William T. Ward,
Alvin Duvall,	Hiram McElroy,	G. W. Williams, of B.
Robert English,	John S. McFarland,	G. W. Williams, of H.
Richard H. Field,	Strother D. Mitchell,	Marcus L. Williams,
Edgar B. Gaither,	Joel Murphy,	James T. Woodward—50.
William H. Gardner,	William B. Murphy,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	George W. Mansfield,
James B. Allen,	Alfred F. Graham,	Daniel Matthewson,
John B. Arnold,	William H. Grainger,	James P. Metcalfe,
Robert A. Athey,	William M. Gray,	George H. Morrow,
George R. Burgess,	William M. Green,	Joel Owsley,
Robert H. Campbell,	Samuel Hanson,	William Preston,
George T. Campbell,	Wm. Harris,	Basil G. Smith,
Henry R. D. Coleman,	George W. Kavanaugh,	Ambrose H. Talbott,
John W. Cook,	Hiram Klette,	Thomas Todd,
Joseph Dougherty,	Joseph H. Lewis,	John Tompson,
Squire Gatliff,	Caleb W. Logan,	Thomas W. Varnon—33.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

On motion of Mr. Preston,

Ordered, That said bill have its third reading on to-morrow, at half past 9 o'clock, A. M.

The House again resumed the consideration of the bill to fix the salaries of officers.

Mr. Leslie moved a reconsideration of the vote adopting the amendment proposed by Mr. Dulin, and it was decided in the affirmative.

Mr. Linn moved to lay said amendment on the table, and it was decided in the affirmative.

Mr. Logan moved to amend said bill, by striking out the words "twelve hundred," in the salary of the Judge of the Louisville Chancery Court, and insert the words "two thousand."

Mr. Leslie called for a division of the question.

The question was first taken on striking out "twelve hundred," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sallee and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Strother D. Mitchell,
James M. Alexander,	Squire Gatliff,	Joel Murphy,
William W. Alexander,	Samuel L. Geiger,	Wm. B. Murphy,
James B. Allen,	Wm. H. Grainger,	Benjamin L. Owens,
Robert A. Athey,	William M. Gray,	William Preston,
R. T. Baker,	Thomas S. Grundy,	Edward C. Purdy,
William Beeler,	George M. Hampton,	Thomas W. Riley,
William S. Black,	Samuel Hanson,	Burwell C. Ritter,
William Bradley,	William Harris,	C. C. Rogers,
George I. Brown,	Stilwell Heady,	George W. Silvertooth,
George P. Brown,	Lysander Hord,	Basil G. Smith,
John B. Bruner,	Samuel B. Jesup,	Albert G. Talbott,
George R. Burgess,	George W. Kavanaugh,	Ambrose H. Talbott,
William H. Calvert,	Hiram Klette,	Jesse S. Taylor,
Robert H. Campbell,	Peter Lashbrooke,	Thomas Todd,
George T. Campbell,	Joseph H. Lewis,	Thomas W. Varnon,
Alexander P. Churchill,	Andrew S. Linn,	William T. Ward,
Asbury Dawson,	Caleb W. Logan,	G. W. Williams, of B.
Lucius Desha,	Daniel Matthewson,	G. W. Williams, of H.
Edward F. Dulin,	Hiram McElroy,	Marcus L. Williams,
Alvin Duvall,	John S. McFarland,	James T. Woodward,
Robert English,	James P. Metcalfe,	Edmund Wooldridge—66.

Those who voted in the negative, were

John B. Arnold,	Cyrenius W. Gilmore,	George H. Morrow,
Carlo B. Brittain,	John G. Gooch,	Joel Owsley,
Henry R. D. Coleman,	William M. Green,	Joseph W. Rowlett,
John W. Cook,	Daniel Landes,	John L. Sallee,
Winston J. Davie,	Preston H. Leslie,	John Shawhan,
Joseph Dougherty,	George W. Mansfield,	John Tompson—19.
Edgar B. Gaither,		

The question was then taken on filling the blank, in the salary of the Judge of the Louisville Chancery Court, with "two thousand," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Heady, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Thomas W. Riley,
William W. Alexander,	Wm. H. Grainger,	Thomas Todd,
Robert A. Athey,	Samuel Hanson,	Thomas W. Varnon,
R. T. Baker,	Lysander Hord,	G. W. Williams, of B.
Robert H. Campbell,	Caleb W. Logan,	G. W. Williams, of H—17.
Alexander P. Churchill,	William B. Murphy,	

Those who voted in the negative, were

James M. Alexander,	Squire Gatliff,	Strother D. Mitchell,
James B. Allen,	Cyrenius W. Gilmore,	George H. Morrow,
John B. Arnold,	John G. Gooch,	Joel Murphy,
William Beeler,	Alfred F. Graham,	Benjamin L. Owens,
Wm. S. Black,	William M. Gray,	Joel Owsley,
Wm. Bradley,	William M. Green,	William Preston,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	George M. Hampton,	Burwell C. Ritter,
George P. Brown,	Wm. Harris,	C. C. Rogers,
John B. Bruner,	Stilwell Heady,	Joseph W. Rowlett,
William H. Calvert,	Samuel B. Jesup,	John L. Sallee,
George T. Campbell,	George W. Kavanaugh,	John Shawhan,
Henry R. D. Coleman,	Hiram Klette,	George W. Silvertooth,
John W. Cook,	Daniel Landes,	Basil G. Smith,
Winston J. Davie,	Peter Lashbrooke,	Albert G. Talbott,
Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Lucius Desha,	Joseph H. Lewis,	Jesse S. Taylor,
Joseph Dougherty,	Andrew S. Linn,	John Tompson,
Edward F. Dulin,	George W. Mansfield,	William T. Ward,
Alvin Duvall,	Daniel Matthewson,	Marcus L. Williams,
Robert English,	Hiram McElroy,	James T. Woodward,
Edgar B. Gaither,	John S. McFarland,	Edmund Wooldridge—68.
Bernard H. Garrett,	James P. Metcalfe,	

The second section of said bill reads as follows, viz:

§ 2. That from and after the present session of the general assembly, the officers of each branch of the general assembly of the commonwealth of Kentucky shall be paid out of the public treasury the following sums, viz: To the principal clerks in the senate and house of representatives, each six dollars per day; to the second clerk in each branch, five dollars per day; to the doorkeeper of each branch, three dollars per day; and to the sergeant-at-arms of each branch, three dollars per day.

Mr. Ward moved to amend said bill by striking out said section, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Brittain, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Gardner,	William Preston,
James M. Alexander,	Samuel L. Geiger,	Thomas W. Riley,
Wm. W. Alexander,	Wm. H. Grainger,	George W. Silvertooth,
Robert A. Athey,	Thomas S. Grundy,	Albert G. Talbott,
R. T. Baker,	Lysander Hord,	Jesse S. Taylor,

George I. Brown,	Samuel B. Jesup,	Thomas Todd,
George P. Brown,	Samuel A. Kingman,	Thomas W. Varnon,
John B. Bruner,	Hiram Klette,	William T. Ward,
George R. Burgess,	Joseph H. Lewis,	Elisha F. Wells,
Wm. H. Calvert,	Caleb W. Logan,	G. W. Williams, of B.
Robert H. Campbell,	James P. Metcalfe,	Marcus L. Williams,
Alexander P. Churchill,	George H. Morrow,	Edmund Wooldridge—36.

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	Hiram McElroy,
John B. Arnold,	Squire Gatliff,	John S. McFarland,
Wm. Beeler,	Cyrenius W. Gilmore,	Strother D. Mitchell,
Wm. S. Black,	John G. Gooch,	Joel Murphy,
Wm. Bradley,	Alfred F. Graham,	Benjamin L. Owens,
Carlo B. Brittain,	Wm. M. Gray,	Joel Owsley,
George T. Campbell,	Wm. M. Green,	Edward C. Purdy,
Henry R. D. Coleman,	Samuel Hanson,	Burwell C. Ritter,
John W. Cook,	Wm. Harris,	Joseph W. Rowlett,
Winston J. Davie,	Stilwell Heady,	John L. Sallee,
Asbury Dawson,	George W. Kavanaugh,	John Shawhan,
Lucius Desha,	Daniel Landes,	Basil G. Smith,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Edward F. Dulin,	Preston H. Leslie,	John Tompson,
Robert English,	Andrew S. Linn,	G. W. Williams, of H.
Richard H. Field,	George W. Mansfield,	James T. Woodward—50.
Edgar B. Gaither,	Daniel Matthewson,	

Mr. Grainger moved to fill the blank in the salary of the Judge of the Louisville Chancery Court, with "eighteen hundred."

Mr. Preston moved to fill the blank with "seventeen hundred and fifty."

Mr. Linn moved to fill the blank with "sixteen hundred."

Mr. J. M. Alexander moved to fill the blank with "fifteen hundred."

Mr. Gooch moved the previous question, and it was decided in the affirmative.

The question was first taken on filling the blank with "eighteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Jesse S. Taylor,
Wm. W. Alexander,	William H. Grainger,	Thomas Todd.
Robert A. Athey,	Samuel Hanson,	Thomas W. Varnon,
R. T. Baker,	Lysander Hord,	G. W. Williams, of B.
Robert H. Campbell,	Caleb W. Logan,	G. W. Williams, of H.
Wm. H. Gardner,	Wm. Preston,	Edmund Wooldridge—20.
Bernard H. Garrett,	Thomas W. Riley,	

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
William M. Green,
Thomas S. Grundy,
Wm. Harris,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—65.

The question was then taken on filling the blank with "seventeen hundred and fifty," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Wm. H. Gardner,
Bernard H. Garrett,
William H. Grainger,
Samuel Hanson,
Lysander Hord,
Hiram Klette,
Daniel Landes,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William Preston,
Thomas W. Riley,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
Edmund Wooldridge—31.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
William Harris,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,

George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Richard H. Field,
Stilwell Heady,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
George W. Silvertooth,
Basil G. Smith,
Albert G. Talbott,
Wm. T. Terrill,
John Tompson,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—55.

The question was then taken on filling the blank with "sixteen hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Wm. H. Grainger,
Samuel Hanson,
Lysander Hord,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
William Preston,
Thomas W. Riley,
George W. Silvertooth,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
George W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—41.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
William M. Green,
Thomas S. Grundy,
William Harris,
Stilwell Heady,
Samuel B. Jesup,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
George W. Mansfield,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
William T. Terrill,
John Tompson—45.

The question was then taken on filling the blank with "fifteen hundred," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
Robert A. Athey,
R. T. Baker,
William Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alexander P. Churchill,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Wm. H. Grainger,
William M. Gray,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Daniel Landes,
Peter Lashbrooke,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
George W. Silvertooth,
Albert G. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
Thomas W. Varnon,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—70.

Those who voted in the negative, were

John B. Arnold,
Henry R. D. Coleman,
Squire Gatliff,
John G. Gooch,
Alfred F. Graham,
William M. Green,
Samuel A. Kingman,
Preston H. Leslie,
George H. Morrow,
Joel Owsley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Basil G. Smith,
William T. Terrill—15.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
James B. Allen,
R. T. Baker,
Wm. Beeler,
William S. Black,
Wm. Bradley,
George I. Brown,
George P. Brown,
Edward F. Dulin,
Robert English,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
Samuel Hanson,
Strother D. Mitchell,
Joel Murphy,
Benjamin L. Owens,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
George W. Silvertooth,
Albert G. Talbott,

John B. Bruner,	Lysander Hord,	Jesse S. Taylor,
George R. Burgess,	Samuel B. Jesup,	Thomas Todd,
Wm. H. Calvert,	Samuel A. Kingman,	John Tompson,
Robert H. Campbell,	Hiram Klette,	Thomas W. Varnon,
George T. Campbell,	Peter Lashbrooke,	William T. Ward,
Alexander P. Churchill,	Joseph H. Lewis,	Elisha F. Wells,
Henry R. D. Coleman,	Andrew S. Linn,	George W. Williams, of B.
John W. Cook,	Caleb W. Logan,	G. W. Williams, of H.
Winston J. Davie,	George W. Mansfield,	Marcus L. Williams,
Asbury Dawson,	Daniel Matthewson,	James T. Woodward,
Lucius Desha,	John S. McFarland,	Edmund Wooldridge—62.
Joseph Dougherty,	James P. Metcalfe,	

Those who voted in the negative, were

James M. Alexander,	Alfred F. Graham,	George H. Morrow,
Robert A. Athey,	Wm. M. Green,	Joel Owsley,
Carlo B. Brittain,	William Harris,	Joseph W. Rowlett,
Richard H. Field,	Stilwell Heady,	John L. Sallee,
Edgar B. Gaither,	George W. Kavanaugh,	John Shawhan,
Squire Gatliff,	Daniel Landes,	Basil G. Smith,
Cyrenius W. Gilmore,	Preston H. Leslie,	Wm. T. Terrill—23.
John G. Gooch,	Hiram McElroy,	

Resolved, That the title of said bill be amended to read as follows: "An act to fix the salaries of certain officers."

On motion of Mr. Gardner,

Leave of absence until Monday next, was granted to Mr. N. Green.

Mr. Lewis, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill to prescribe the duties of the Secretary of State, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, all petitions heretofore presented, or which hereafter may be presented to the governor, for the pardon of convicts confined in the penitentiary, or other persons charged with crime, signed by citizens, shall be held and regarded as public documents; and as such, when filed in the office of the secretary of state, be subject to the inspection and examination of any person desiring it.

§ 2. That when applied to by any citizen of this commonwealth, and the usual and legal clerk's fee for copying tendered to him, said secretary is hereby directed and required to furnish to such person, a copy or copies of such petitions, certified and sealed officially; and for any neglect or refusal of said secretary to furnish such copies, when applied to, and the proper fees tendered him, he shall forfeit and pay to the person so applying, the sum of one hundred dollars, to be recovered by such person by action at law.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

Mr. Lewis moved that said bill have its third reading on to-morrow, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lewis and Leslie, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	Strother D. Mitchell,
James M. Alexander,	Squire Gatliff,	Joel Murphy,
James B. Allen,	Samuel L. Geiger,	Benjamin L. Owens,
John B. Arnold,	John G. Gooch,	Joel Owsley,
William S. Black,	William M. Gray,	Wm. Preston,
George I. Brown,	William M. Green,	Edward C. Purdy,
George P. Brown,	Stilwell Heady,	Thomas W. Riley,
John B. Bruner,	Samuel B. Jesup,	Burwell C. Ritter,
Wm. H. Calvert,	George W. Kavanaugh,	Joseph W. Rowlett,
George T. Campbell,	Daniel Landes,	John L. Sallee,
Henry R. D. Coleman,	Peter Lashbrooke,	George W. Silvertooth,
John W. Cook,	Preston H. Leslie,	Basil G. Smith,
Winston J. Davie,	Joseph H. Lewis,	Jesse S. Taylor,
Asbury Dawson,	George W. Mansfield,	John Tompson,
Edward F. Dulin,	Daniel Matthewson,	Thomas W. Varnon—47.
Richard H. Field,	James P. Metcalfe,	

Those who voted in the negative, were

Robert A. Athey,	Wm. H. Gardner,	Andrew S. Linn,
William Beeler,	Bernard H. Garrett,	Hiram McElroy,
William Bradley,	Cyrenius W. Gilmore,	John S. McFarland,
Carlo B. Brittain,	Alfred F. Graham,	George H. Morrow,
George R. Burgess,	Thomas S. Grundy,	John Shawhan,
Robert H. Campbell,	Lysander Hord,	Thomas Todd,
Lucius Desha,	Samuel A. Kingman,	G. W. Williams, of H.
Joseph Dougherty,	Hiram Klette,	James T. Woodward—25.
Robert English,		

A message was received from the Senate, announcing that they had passed a bill for the payment of the interest of the School Fund, which originated in the Senate, the objections of the Governor to the contrary notwithstanding.

And asking leave to withdraw their report, announcing their disagreement to the amendment of this House, to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky.

And the question being taken on granting said leave, it was decided in the affirmative.

Mr. Hanson moved the following resolution, viz:

Resolved, That the Clerk be authorized to employ some person to enroll the act to establish a Code of Practice in civil cases in the Courts of this Commonwealth, and stipulate the compensation he shall receive.

Which was adopted.

The House then took up the resolution from the Senate, providing for a joint committee to bring in a bill for the appropriation of money, which being twice read, was concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Preston—1. A bill concerning the Custom House of the United States at Louisville.

On motion of Mr. Logan—2. A bill to authorize Constables of the city of Louisville to appoint deputies.

On motion of Mr. Klette—3. A bill to extend the limits of Independence, in Kenton county.

On motion of Mr. Grainger—4. A bill concerning the closing of certain streets and alleys in Shippingport.

Ordered, That Messrs. Preston, Marshall, and Hanson, prepare and bring in the 1st; the committee on the Judiciary the 2d and 4th; and Messrs. Klette, Linn, and Baker, the 3d.

And then the House adjourned.

SATURDAY, MARCH 15, 1851.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act incorporating the Trustees of the Parochial School of the Hanging Fork Presbyterian Church, approved February 9, 1850.

An act to authorize the Montgomery County Court to levy a tax for rebuilding the court house of said county.

An act to amend the charter of the Lexington Insurance Company.

An act for the benefit of School District, No. 19, in Meade county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to provide for the payment of the unpaid orders of the School Commissioners.

An act for the benefit of School District, No. 16, Kenton county.

1. Mr. Silvertooth presented the petition of James R. Wilson, for the benefit of David W. Holman's heirs.

2. Mr. Davie presented the petition of citizens of Christian county, praying an amendment of the charter of the Clarksville and Hopkinsville Turnpike Company.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Internal Improvement.

The House again resumed the consideration of the bill to charter the city of Louisville.

The said bill was read a third time.

Mr. Allen moved the previous question, and it was decided in the affirmative.

The question was then taken, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Churchill and Preston, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
James B. Allen,	John G. Gooch,	George H. Morrow,
John B. Arnold,	Alfred F. Graham,	Benjamin L. Owens,
Robert A. Athey,	William H. Grainger,	Wm. Preston,
William S. Black,	Wm. M. Gray,	Edward C. Purdy,
William Bradley,	William M. Green,	Burwell C. Ritter,
George R. Burgess,	George M. Hampton,	John Rodman,
Robert H. Campbell,	Samuel Hanson,	Joseph W. Rowlett,
George T. Campbell,	Wm. Harris,	George W. Silvertooth,
Henry R. D. Coleman,	Stilwell Heady,	Basil G. Smith,
John W. Cook,	George W. Kavanaugh,	Albert G. Talbott,
Winston J. Davie,	Daniel Landes,	Ambrose H. Talbott,
Asbury Dawson,	Peter Lashbrooke,	John Tompson,
Joseph Dougherty,	Caleb W. Logan,	Thomas W. Varnon,
Alvin Duvall,	George W. Mansfield,	Elisha F. Wells,
Richard H. Field,	Daniel Matthewson,	Marcus L. Williams,
Edgar B. Gaither,	James P. Metcalfe,	James T. Woodward—52.
Squire Gatliff,		

Those who voted in the negative, were

Wm. W. Alexander,	Lysander Hord,	Thomas W. Riley,
R. T. Baker,	Samuel A. Kingman,	John L. Sallee,
George I. Brown,	Preston H. Leslie,	John Shawhan,
John B. Bruner,	Joseph H. Lewis,	Jesse S. Taylor,
William H. Calvert,	Andrew S. Linn,	William T. Terrill,
Alexander P. Churchill,	William C. Marshall,	Thomas Todd.
Edward F. Dulin,	Strother D. Mitchell,	William T. Ward,
Robert English,	Joel Murphy,	G. W. Williams, of B.
Wm. H. Gardner,	Wm. B. Murphy,	G. W. Williams, of H.
Samuel L. Geiger,	Joel Owsley,	Edmund Wooldridge—31.
Thomas S. Grundy,		

Resolved, That the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill to provide for the payment of Jurors who try cases before Magistrates, reported the same with an amendment, as a substitute for said bill.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That where jurors are now summoned to try causes cognizable before justices of the peace in this commonwealth, each juror hereafter so summoned, shall receive for his services for every day which he may attend, the sum of fifty cents, to be taxed by said justice or justices presiding, against the unsuccessful party; and the same shall be collected as other costs are now collectible by law, and paid over by the collecting officers, within ninety days, to the jurors: *Provided*, no jurors shall receive more or less than fifty cents per day for his services, rendered as such, when summoned to try causes at the regular quarterly terms of the Magistrates' courts; and that when a juror may be called on to try more than one cause, the jury costs shall be taxed equally between the unsuccessful parties.

The substitute for said bill reads as follows, viz:

That jurors hereafter summoned to try causes cognizable before justices of the peace, or presiding judges, or police judges, shall each hereafter receive for their services the sum of twenty-five cents for each cause tried by them, which shall be taxed as costs, and collected as other costs are; and which, when collected, shall be paid over by the collecting officer to the several jurors; but this act shall not apply to causes wherein the amount in controversy is less than fifteen dollars.

Mr. Kingman moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. M. L. Williams and A. H. Talbott, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Strother D. Mitchell,
Robert A. Athey,	William H. Grainger,	Benjamin L. Owens,
William Beeler,	Samuel Hanson,	Edward C. Purdy,
William Bradley,	Stilwell Heady,	Thomas W. Riley,
George I. Brown,	Lysander Hord,	Burwell C. Ritter,
George P. Brown,	Samuel B. Jesup,	John Rodman,
Wm. H. Calvert,	Samuel A. Kingman,	Basil G. Smith,
Asbury Dawson,	Peter Lashbrooke,	Albert G. Talbott,
Joseph Dougherty,	Andrew S. Linn,	Wm. T. Terrill,
Edward F. Dulin,	William C. Marshall,	Thomas Todd,
Robert English,	Hiram McElroy,	John Tompson,
Richard H. Field,	John S. McFarland,	Elisha F. Wells,
William H. Gardner,	James P. Metcalfe,	G. W. Williams, of H—40.
Squire Gatliff,		

Those who voted in the negative, were

James B. Allen,	William M. Gray,	William B. Murphy,
R. T. Baker,	William M. Green,	Joel Owsley,
William S. Black,	Thomas S. Grundy,	William Preston,
Carlo B. Brittain,	George M. Hampton,	C. C. Rogers,
John B. Bruner,	Wm. Harris,	Joseph W. Rowlett,
George R. Burgess,	George W. Kavanaugh,	John L. Sallee,
George T. Campbell,	Daniel Landes,	John Shawhan,
Henry R. D. Coleman,	Preston H. Leslie,	George W. Silvertooth,
John W. Cook,	Joseph H. Lewis,	Ambrose H. Talbott,
Lucius Desha,	George W. Mansfield,	Thomas W. Varnon,
Cyrenius W. Gilmore,	Daniel Matthewson,	William T. Ward,
John G. Gooch,	George H. Morrow,	Marcus L. Williams,
Alfred F. Graham,	Joel Murphy,	James T. Woodward—39.

The House then took up the bill from the Senate, entitled, an act to revise the Statutes.

Mr. Ward moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

Mr. Cook moved a reconsideration of the vote ordering the previous question.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh McFarland, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	George W. Mansfield,
James B. Allen,	Bernard H. Garrett,	Daniel Matthewson,
John B. Arnold,	Squire Gatliff,	John S. McFarland,
Robert A. Athey,	Cyrenius W. Gilmore,	Strother D. Mitchell,
Wm. S. Black,	John G. Gooch,	Morton P. Moore,
Wm. Bradley,	Alfred F. Graham,	George H. Morrow,
George I. Brown,	Wm. H. Grainger,	Joel Murphy,
George P. Brown,	William M. Gray,	Benjamin L. Owens,
John B. Bruner,	Thomas S. Grundy,	Edward C. Purdy,
William H. Calvert,	George M. Hampton,	Thomas W. Riley,
Robert H. Campbell,	Samuel Hanson,	Burwell C. Ritter,
George T. Campbell,	Wm. Harris,	C. C. Rogers,
Henry R. D. Coleman,	Lysander Hord,	Joseph W. Rowlett,
John W. Cook,	Samuel B. Jesup,	George W. Silvertooth,
Winston J. Davie,	George W. Kavanaugh,	Albert G. Talbott,
Lucius Desha,	Daniel Landes,	Ambrose H. Talbott,
Joseph Dougherty,	Peter Lashbrooke,	Thomas Todd,
Edward F. Dulin,	Preston H. Leslie,	Elisha F. Wells,
Alvin Duvall,	Joseph H. Lewis,	G. W. Williams, of H.
Robert English,	Andrew S. Linn,	Edmund Wooldridge—60.

Those who voted in the negative, were

R. T. Baker,	Samuel A. Kingman,	John Shawhan,
William Beeler,	Hiram Klette,	William T. Terrill,
Carlo B. Brittain,	William C. Marshall,	John Tompson,
George R. Burgess,	Hiram McElroy,	Thomas W. Varnon,
Richard H. Field,	James P. Metcalfe,	William T. Ward,
William M. Green,	Joel Owsley,	G. W. Williams, of B.
Stilwell Heady,	John L. Sallee,	James T. Woodward—21.

Mr. Ward then withdrew his motion for the previous question.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Board of Trustees of the town of Woodsonville.

An act to amend the act establishing the Police Court of Flemingsburg, approved January 21, 1851.

An act concerning the Police Judge of the town of Hawesville.

An act to establish the Police Court of Mount Carmel.

An act to authorize the County Courts of Nelson and Barren to subscribe stock in the Louisville and Nashville Railroad Company.

An act to amend the charter of the town of Paducah.

An act for the benefit of the National Guards of the city of Louisville.

An act for the benefit of George Stivers and William Woodcock.

An act for the benefit of Common Schools in Anderson county.

An act to amend an act creating the offices of Police Judge and Town Marshals in the towns of Clinton and Moscow, in Hickman county.

An act further to regulate the town of Bowlinggreen.

An act authorizing the Winchester and Kentucky River Turnpike Road Company to erect gates on certain conditions.

An act changing the boundary lines of District, No. 8, in Carter county.

An act to authorize the Trustees of Winchester to reduce the width of Main cross street in said town.

An act to authorize the erection of a monument to the memory of Col. Richard M. Johnson.

An act to include the house and lot of Arthur Smith within the town of Cadiz.

An act providing for the election of Public Printer.

An act to purchase a burial place in the Frankfort Cemetery.

An act to establish the town of Beatty, in the county of Owsley.

An act to incorporate Grant Lodge, No. 85, of Free and Accepted Masons.

An act authorizing the County Courts of sundry counties to subscribe stock in railroad companies.

An act to amend the charter of the North Middletown, Mount Ida, and Mountsterling Turnpike Road Company.

An act repealing an act, approved January 21, 1851, in regard to Three Mile creek, in Lawrence county, and declaring said creek navigable.

An act to authorize the commandant of the 36th regiment of militia to list for collection fines assessed in 1849.

An act extending the powers of the Mayor of the city of Maysville.

An act to authorize the Trustees of the town of Owenton to convey town lots.

An act to give additional Commissioners to the Mountsterling and Jeffersonville Turnpike Road Company.

An act for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

An act to change the corporate limits of the town of Moscow, in Hickman county.

An act for the benefit of the Sheriffs of Lewis and Mason counties.

An act to repeal an act to establish a Police Court in the town of Mount Vernon.

An act to extend the limits of the town of West Liberty.

An act to incorporate a Turnpike Road from Germantown to Thompson's Ford, on the North Fork, in Bracken county.

An act to authorize the County Court of Shelby to subscribe stock in roads.

An act to incorporate the Versailles Joint Stock Building Company.

And bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Deposit Bank of Maysville.

An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

An act to amend the charter of the town of Hardinsburg.

An act for the benefit of Abraham Boyd, of Trigg county.

An act authorizing the construction of a mill dam across Pond river.

An act to establish a Police Court in the town of Caseyville.

An act to authorize the city of Louisville to subscribe stock in certain railroads.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

On motion of Mr. Bruner,

Ordered, That a message be sent to the Senate, to ask leave to withdraw the report of this House, announcing the adoption of a resolution fixing a day for the adjournment of the General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Linn, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	George H. Morrow,
James M. Alexander,	Wm. H. Grainger,	William B. Murphy,
James B. Allen,	Wm. M. Gray,	Benjamin L. Owens,
Robert A. Athey,	Thomas S. Grundy,	William Preston,
George I. Brown,	George M. Hampton,	Edward C. Purdy,
John B. Bruner,	Stilwell Heady,	Thomas W. Riley,
Wm. H. Calvert,	Lysander Hord,	John Rodman,
Robert H. Campbell,	George W. Kavanaugh,	C. C. Rogers,
George T. Campbell,	Daniel Landes,	George W. Silvertooth,
Winston J. Davie,	Peter Lashbrooke,	Ambrose H. Talbott,
Asbury Dawson,	Preston H. Leslie,	William T. Terrill,
Edward F. Dulin,	Joseph H. Lewis,	Thomas W. Varnon,
Robert English,	Caleb W. Logan,	William T. Ward,
Edgar B. Gaither,	George W. Mansfield,	Elisha F. Wells,
Bernard H. Garrett,	John S. McFarland,	G. W. Williams, of B.
Squire Gatliff,	James P. Metcalfe,	G. W. Williams, of H.
Cyrenius W. Gilmore,	Strother D. Mitchell,	James T. Woodward,
John G. Gooch,	Morton P. Moore,	Edmund Wooldridge—54.

Those who voted in the negative, were

R. T. Baker,	Wm. M. Green,	Hiram McElroy,
Wm. S. Black,	Samuel Hanson,	Joel Murphy,
Wm. Bradley,	Wm. Harris,	Joel Owsley,
Henry R. D. Coleman,	Samuel A. Kingman,	Burwell C. Ritter,
John W. Cook,	Hiram Klette,	Joseph W. Rowlett,
Lucius Desha,	Andrew S. Linn,	John L. Sallee,
Joseph Dougherty,	William C. Marshall,	John Shawhan—23.
Wm. H. Gardner,	Daniel Matthewson,	

After a short time, the messenger returned with said resolution.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Klette—A bill to extend the limits of Independence, in Kenton county.

By Mr. R. H. Campbell—A bill to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

By the committee on Circuit Courts—A bill to establish the town of Lovelaceville, in Ballard county.

By Mr. Brittain—A bill providing for running and marking the line between Knox and Harlan counties.

By Mr. G. I Brown—A bill to change the place of voting from Sulphur Well to James Carter's, in Jessamine county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Ritter,

Leave was given to bring in a bill to amend the charter of the Southern Bank of Kentucky.

Ordered, That Messrs. Ritter, McFarland, and Williams, of Hancock, prepare and bring in the same.

On motion of Mr. Desha,

Ordered, That leave of absence, until Tuesday next, be granted to Messrs. Williams, of Bourbon, and Todd.

A bill from the Senate, entitled, an act for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same, was read the third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	James P. Metcalfe,
James M. Alexander,	Alfred F. Graham,	Strother D. Mitchell,
William W. Alexander,	William H. Grainger,	George H. Morrow,
John B. Arnold,	George M. Hampton,	Wm. B. Murphy,
Robert A. Athey,	Samuel Hanson,	Benjamin L. Owens,
R. T. Baker,	Stilwell Heady,	William Preston,
William Bradley,	Lysander Hord,	Edward C. Purdy,
George I. Brown,	Samuel B. Jesup,	Thomas W. Riley,
George P. Brown,	George W. Kavanaugh,	Burwell C. Ritter,
John B. Bruner,	Hiram Klette,	C. C. Rogers,
George R. Burgess,	Daniel Landes,	Albert G. Talbott,
William H. Calvert,	Peter Lashbrooke,	Ambrose H. Talbott,
Robert H. Campbell,	Preston H. Leslie,	Jesse S. Taylor,
Alexander P. Churchill,	Joseph H. Lewis,	Thomas W. Varnon,
John W. Cook,	Andrew S. Linn,	William T. Ward,
Winston J. Davie,	Caleb W. Logan,	G. W. Williams, of B.
Edward F. Dulin,	George W. Mansfield,	G. W. Williams, of H.
Alvin Duvall,	William C. Marshall,	Marcus L. Williams,
Robert English,	Daniel Matthewson,	James T. Woodward,
Edgar B. Gaither,	John S. McFarland,	Edmund Wooldridge—61.
Samuel L. Geiger,		

Those who voted in the negative, were

William S. Black,	Cyrenius W. Gilmore,	Joseph W. Rowlett,
Carlo B. Brittain,	William M. Gray,	John L. Sallee,
George T. Campbell,	William M. Green,	John Shawhan,
Henry R. D. Coleman,	Thomas S. Grundy,	George W. Silvertooth,
Asbury Dawson,	William Harris,	Basil G. Smith,
Lucius Desha,	Hiram McElroy,	Wm. T. Terrill,
Joseph Dougherty,	Morton P. Moore,	John Tompson,
Wm. H. Gardner,	Joel Murphy,	Elisha F. Wells—26.
Squire Gatliff,	Joel Owsley,	

Resolved, That the title thereof be as aforesaid.

Mr. Woodward, from the committee to whom was referred a bill to amend the law regulating tolls on the Wilderness Turnpike Road, reported the same with an amendment, in lieu of the original bill.

Mr. Sallee moved the previous question, and it was decided in the affirmative.

The main question was then put, shall the amendment be adopted? and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time, as amended.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act to incorporate the Deposit Bank of Paris, Bourbon county.

Approved March 7, 1851.

An act to amend an act, entitled, an act to amend and re-enact an act, entitled, an act to incorporate the Henderson and Nashville Railroad Company, approved March 4, 1850.

An act to extend the duty of the Commissioners of Tax.

An act for the benefit of Riley McGuire.

An act to incorporate the Erodelphian Society of Cumberland College.

An act giving further time to the citizens of Whitley county to return plats of surveys made on lands in said county.

An act to incorporate the Columbus Masonic Seminary, in Hickman county.

An act to amend the charter of the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

An act to amend an act, to revive and amend an act to incorporate the Stanford and Lancaster Turnpike Road Company, approved March 7, 1850.

An act to apportion representation.

An act to change the time of holding the spring term of the Bracken Circuit Court.

An act to incorporate the Carrollton Library Society.

An act in relation to Flint Island School District, No. 5, in Breckinridge county.

Approved March 8, 1851.

An act to prevent the destruction of fish in Barebone Creek, in Trimble county.

An act authorizing the election of officers of the Glasgow and Scottsville Turnpike Road.

An act to incorporate the Western Coal and Manufacturing Company.

An act to incorporate the Hancock Mining Company.

Approved March 10, 1851.

An act to incorporate a Turnpike Road from Germantown to Gault's Mill, on the North Fork, in Mason county.

An act to amend an act, entitled, an act to incorporate the Literary Institution of St. Magdalen, approved December 19, 1839.

An act to incorporate the University of Paducah.

Approved March 11, 1851.

An act to incorporate the town of Mountsterling.

Approved March 12, 1851.

Bills from the Senate, of the following titles, viz:

1. An act to incorporate the Deposit Bank of Danville.

2. An act for the benefit of John G. Holloway.

3. An act in relation to the Goose Creek Turnpike Road, in Knox and Clay counties.

4. An act to incorporate the Springdale and Tollsburg Turnpike Road Company, in Mason and Lewis counties.

5. An act in relation to the fees of Commonwealth's Attorneys.

6. An act granting to the Marshal of Owenton, Owen county, the power and authority of a Constable.

7. An act to amend the charter of the city of Covington.

8. An act concerning the tax on licenses to coffee houses, taverns, and ten-pin alleys in the city of Louisville and county of Jefferson.

9. An act changing an election precinct in Jefferson county.

10. An act giving officers further time to collect precepts, taxes, and fees.

11. An act for the benefit of the town of Russellville.

12. An act concerning the sale of spirituous liquors in the town of Prestonsburg.

13. An act to amend an act, entitled, an act for the benefit of William Smith, of Laurel county, approved March 7, 1850.

14. An act to repeal the 5th section of an act, entitled, an act to amend the charter of the city of Louisville, approved March 5, 1850.

15. An act to define the original corners of the town of Boston, in Whitley county.

16. An act to incorporate the Burlington and Florence Turnpike Road Company.

17. An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

18. An act to incorporate the Capital Hotel Company of Frankfort.

19. An act for the benefit of Col. Ambrose Arthur.

20. An act for the benefit of James McBride.

21. An act to incorporate the Waidsboro' and Marshall County Seminary.

22. An act authorizing an alley to be closed in the town of Portland.

23. An act to reduce into one the several acts concerning the town of Campbellsville, in Taylor county.

24. An act to provide for a special Court of Appeals.

25. An act to incorporate the Greenville Mansion Hotel Company.

26. An act to incorporate the Paint Lick Presbyterian Church, in Garrard county.

27. An act for the benefit of School District, No. 16, Kenton county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 11th, 13th, 14th, 15th, 16th, 18th, 22d, 25th, 26th, and 27th, were severally ordered to be read a third time; the 5th, 10th, 21st, 23d, and 24th, were referred to the committee on the Judiciary; the 12th to the committee on Religion; the 17th to the committee on Internal Improvement; and the 19th and 20th to the committee on Claims.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 11th, 13th, 14th, 15th, 16th, 18th, 22d, 25th, 26th, and 27th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act declaring the Kentucky Rifle a public authorized newspaper of this State, was read the first time.

On motion of Mr. Davie,

Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act to authorize the Circuit Courts of this Commonwealth to direct the sale of the real estates of lunatics, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary, with instructions to report the same to the House, on Tuesday next, at 10 o'clock, A. M.

Bills from the Senate, of the following titles, viz:

An act to amend an act in relation to running and re-marking a part of the county line between Graves and Hickman counties.

An act to amend the charter of the town of Crittenden, in Grant county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act prescribing the duties of the Assessors of Tax, was read the first time.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Judiciary, with instructions to report the same to this House on Tuesday next, at 10 o'clock, A. M.

A bill from the Senate, entitled, an act for the benefit of James McConnell, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Claims, with instructions to report the same on Tuesday next.

A bill from the Senate, entitled, an act for the sale of the estates of infants and *femes covert*, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Judiciary, with instructions to report the same to this House on Tuesday next.

A bill from the Senate, entitled, an act to provide for the unpaid orders of the School Commissioners, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Ways and Means, with instructions to report the same to this House on Wednesday next.

The amendments proposed by this House, to bills from the Senate, of the following titles, viz :

An act to incorporate Owen Division, No. 220, Sons of Temperance, in Owenton, Owen county.

An act regulating allowances to Masters, Auditors, and Commissioners in Chancery.

An act to give to the Carroll County Court control of the State road in said county.

An act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad, approved March 4, 1850.

An act for the benefit of School District, No. 19, in Meade county.

Were taken up, twice read, and concurred in.

Ordered, That the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend the charter of the Lexington and Danville Railroad Company, be referred to the committee on Internal Improvement.

Resolved, That this House adhere to their amendment proposed to a bill from the Senate, entitled, an act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

Mr. Grainger moved a reconsideration of the vote laying on the table the bill to provide for the payment of jurors who try cases before Magistrates.

Ordered, That the further consideration of said motion be postponed till Monday next.

Mr. Lewis, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act providing for a mode of forfeiture of the charter of the Logan, Todd, and Christian Turnpike Road Company, and the transfer of the interest of the State therein, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, reported a bill for the benefit of the Kentucky Deaf and Dumb Asylum, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Wednesday next.

And then the House adjourned.

MONDAY, MARCH 17, 1851.

1. Mr. Dougherty presented the petition of citizens of Pendleton county, praying an alteration in District, No. 5, in said county.

2. Mr. A. H. Talbott presented the petition of citizens of Trimble county, praying that the place of voting in a district in said county may be changed.

3. Mr. Garrett presented the remonstrance of citizens of Floyd county, against the repeal of an act in relation to the sale of spirituous liquors in Prestonsburg.

4. Mr. Gilmore presented the petition of citizens of Pulaski county, praying a change in a Magistrate's District in said county.

5. The Speaker presented the petition of citizens of Shelby county, praying a change in a Magistrate's District in said county.

6. Mr. Harris presented the petition of citizens of Madison county, in relation to the Police Court in Richmond.

Which were received, the readings dispensed with, and referred—the 1st, 2d, 4th, and 5th to Messrs. Payne, Rowlett, Davie, and Williams, of Hancock; the 3d to the committee on Religion; and the 6th to the committee on the Judiciary.

On motion of Mr. Gilmore, leave of absence, indefinitely, was granted to Mr. Varnon.

Resolved, That this House recede from their amendment to a bill from the Senate, entitled, an act to equalize the compensation for the collection of the revenue tax.

Mr. Linn moved to take up the resolution fixing a day for the adjournment of the General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Linn, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	Daniel Matthewson,
James M. Alexander,	William H. Gardner,	Hiram McElroy,
James B. Allen,	Bernard H. Garrett,	Morton P. Moore,
John B. Arnold,	Squire Gatliff,	George H. Morrow,
Wm. Beeler,	Samuel L. Geiger,	Joel Murphy,
Wm. Bradley,	William M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Joel Owsley,
George I. Brown,	Thomas S. Grundy,	Edward C. Purdy,
George P. Brown,	George M. Hampton,	Thomas W. Riley,
George R. Burgess,	Samuel Hanson,	Burwell C. Ritter,
Wm. H. Calvert,	William Harris,	C. C. Rogers,
George T. Campbell,	P. B. Hawkins,	Joseph W. Rowlett,
Alexander P. Churchill,	Lysander Hord,	John L. Sallee,
Henry R. D. Coleman,	George W. Kavanaugh,	John Shawhan,
John W. Cook,	Samuel A. Kingman,	George W. Silvertooth,
Winston J. Davie,	Daniel Landes,	Basil G. Smith,
Asbury Dawson,	Peter Lashbrooke,	Ambrose H. Talbott,
Lucius Desha,	Joseph H. Lewis,	Wm. T. Terrill,
Joseph Dougherty,	Andrew S. Linn,	John Tompson,
Alvin Duvall,	George W. Mansfield,	G. W. Williams, of H.
Robert English,	William C. Marshall,	Marcus L. Williams—64.
Richard H. Field,		

Those who voted in the negative, were

R. T. Baker,	Alfred F. Graham,	Strother D. Mitchell,
William S. Black,	Wm. M. Green,	William B. Murphy,
John B. Bruner,	Stilwell Heady,	Jesse S. Taylor,
Edward F. Dulin,	Preston H. Leslie,	William T. Ward,
Cyrenius W. Gilmore,	John S. McFarland,	Elisha F. Wells,
John G. Gooch,	James P. Metcalfe,	James T. Woodward—18

The vote adopting said resolution was then reconsidered.

Mr. J. M. Alexander moved to amend said resolution, by striking out 17th, and insert 31st.

Mr. Linn called for a division of the question.

The question was first taken on striking out 17th, and it was decided in the affirmative.

The question was then taken on inserting the 31st, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Strother D. Mitchell,
James M. Alexander,	William H. Grainger,	Morton P. Moore,
R. T. Baker,	William M. Gray,	William B. Murphy,
George P. Brown,	Wm. M. Green,	Wm. Preston,
John B. Bruner,	Stilwell Heady,	C. C. Rogers,
Edward F. Dulin,	Lysander Hord,	George W. Silvertooth,
Bernard H. Garrett,	Peter Lashbrooke,	Ambrose H. Talbott,
Squire Gatliff,	Preston H. Leslie,	Jesse S. Taylor,
Samuel L. Geiger,	George W. Mansfield,	Elisha F. Wells,
Cyrenius W. Gilmore,	John S. McFarland,	G. W. Williams, of H.—32.
John G. Gooch,	James P. Metcalfe,	

Those who voted in the negative, were

William W. Alexander,	Robert English,	Daniel Matthewson,
James B. Allen,	Richard H. Field,	Hiram McElroy,
John B. Arnold,	Edgar B. Gaither,	George H. Morrow,
William Beeler,	Wm. H. Gardner,	Joel Murphy,
William S. Black,	Norvin Green,	Benjamin L. Owens,
William Bradley,	Thomas S. Grundy,	Joel Owsley,
Carlo B. Brittain,	George M. Hampton,	Edward C. Purdy,
George I. Brown,	Samuel Hanson,	Thomas W. Riley,
George R. Burgess,	William Harris,	Burwell C. Ritter,
Wm. H. Calvert,	P. B. Hawkins,	Joseph W. Rowlett,
George T. Campbell,	Samuel B. Jesup,	John L. Sallee,
Alexander P. Churchill,	George W. Kavanaugh,	John Shawhan,
Henry R. D. Coleman,	Samuel A. Kingman,	Basil G. Smith,
John W. Cook,	Hiram Klette,	William T. Terrill,
Asbury Dawson,	Daniel Landes,	John Tompson,
Lucius Desha,	Joseph H. Lewis,	William T. Ward,
Joseph Dougherty,	Andrew S. Linn,	Marcus L. Williams,
Alvin Duvall,	Wm. C. Marshall,	James T. Woodward—54.

Mr. Kavanaugh moved to amend said resolution, by inserting the 24th, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. M. Alexander and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Hiram McElroy,
James M. Alexander,	Squire Gatliff,	James P. Metcalfe,
Wm. W. Alexander,	Samuel L. Geiger,	Morton P. Moore,
James B. Allen,	John G. Gooch,	George H. Morrow,
John B. Arnold,	William H. Grainger,	Joel Murphy,
Wm. Beeler,	Wm. M. Gray,	Benjamin L. Owens,
William S. Black,	Norvin Green,	Joel Owsley,
William Bradley,	William M. Green,	Wm. Preston,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	George M. Hampton,	Thomas W. Riley,
George R. Burgess,	Samuel Hanson,	Burwell C. Ritter,
William H. Calvert,	Wm. Harris,	Joseph W. Rowlett,
George T. Campbell,	P. B. Hawkins,	John L. Sallee,
Alexander P. Churchill,	Lysander Hord,	John Shawhan,
Henry R. D. Coleman,	Samuel B. Jesup,	George W. Silvertooth,

John W. Cook,	George W. Kavanaugh,	Basil G. Smith,
Winston J. Davie,	Samuel A. Kingman,	Ambrose H. Talbott,
Asbury Dawson,	Daniel Landes,	Jesse S. Taylor,
Lucius Desha,	Peter Lashbrooke,	William T. Terrill,
Joseph Dougherty,	Joseph H. Lewis,	John Tompson,
Alvin Duvall,	Andrew S. Linn,	William T. Ward,
Robert English,	George W. Mansfield,	Elisha F. Wells,
Richard H. Field,	William C. Marshall,	Marcus L. Williams,
Edgar B. Gaither,	Daniel Matthewson,	James T. Woodward—73.
Wm. H. Gardner,		

Those who voted in the negative, were

R. T. Baker,	Cyrenius W. Gilmore,	Preston H. Leslie,
George P. Brown,	Alfred F. Graham,	John S. McFarland,
John B. Bruner,	Stilwell Heady,	Strother D. Mitchell,
Edward F. Dulin,	Hiram Klette,	G. W. Williams, of H.—12.

The said resolution, as amended, was then adopted.

On motion of Mr. Desha,

Ordered, That the committee on Claims be permitted to sit during the session of the House.

On motion of Mr. Arnold,

Ordered, That Messrs. Preston and McElroy be added to the committee on Claims.

A message was received from the Senate, announcing that they insist on their disagreement to the amendment proposed by this House, to a bill from the Senate, entitled, an act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

That they had appointed a committee of conference on their part, to meet a similar committee on the part of this House, in relation to the disagreement between the Houses.

That they had concurred in the amendment of this House, to a bill from the Senate, entitled, an act to regulate the election laws, with an amendment.

That they had passed bills from this House of the following titles, viz:

An act to repeal an act to amend the charter of the Covington and Lexington Railroad Company, approved March 4, 1850; and also, an act supplemental to said act, approved March 6, 1850.

An act to suppress the practice of adulterating spirituous liquors.

An act to incorporate the Owensboro' Building Company.

An act to incorporate the Owenton and Scott County Line Turnpike Road Company.

An act to incorporate the Stanford and Houstonville Turnpike Road Company.

An act concerning certain Magistrates' districts in Madison county.

An act to reduce into one the several acts regulating the town of Madisonville.

An act to authorize the County Court of Montgomery to issue the bonds of said county for Internal Improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend the exemption laws.

An act to fix the time of holding Circuit Courts in this Commonwealth.

An act allowing to the county of Warren one additional district, for the election of Justices of the Peace and Constables.

An act to authorize the Council of the city of Covington to create two additional voting precincts in said city.

An act to incorporate the Washington Support and Health Insurance Company.

An act for the benefit of Colonel R. T. P. Allen.

An act exempting every custom house, post office, court room, and other offices that may be erected within this Commonwealth, by the General Government, from taxation.

An act to charter the Danville and Bardstown Railroad Company.

An act concerning coal mining in Hancock county.

An act for the benefit of C. N. Carder, Constable of Oldham county.

That they had received official information from the Governor, that he had approved and signed bills, which originated in the Senate, of the following titles, to-wit:

An act further to provide for the collection of tolls on Kentucky, Green, and Barren rivers. Approved March 8, 1851.

An act to incorporate Pikeville Division, No. 79, Sons of Temperance.

An act to amend an act to incorporate the Shelbyville and Taylorsville Turnpike Road Company.

An act for the benefit of the Sheriff of Lawrence county.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets in Portland to be closed.

Approved March 10, 1851.

An act to incorporate the Louisville and Mississippi, or Ohio River Railroad Company.

An act to amend an act, entitled, an act to reduce into one the several acts concerning the town of Portland, approved March 2, 1850.

An act to authorize the sale of the Parsonage of the Glasgow Circuit of the Methodist Episcopal Church, South.

An act for the benefit of the Danville and Hustonville Turnpike Road Company.

An act to incorporate Blandville Lodge, No. 142, of Free and Accepted Masons.

An act for the benefit of the Sheriff of Boone county.

An act to amend the charter of the Clear Creek Turnpike Road Company, of Shelby county.

An act in relation to the Internal Improvement Fund of McCracken county.

An act to incorporate the Peacock Coal Mining Company, of Owsley county.

An act to amend an act, entitled, an act to incorporate the Linden Grove Cemetery Company, approved March 5, 1850.

An act for the benefit of Joseph A. Vance.

An act to incorporate Union College, in the town of Morganfield, in Union county.

An act to incorporate the Breckinridge Savings Bank.

An act to organize County Courts in the several counties.

Approved March 11, 1851.

The following bills were reported by the committees appointed to prepare and bring in the same, to-wit:

By Mr. Dulin—A bill concerning Justices' and Constables' districts in Fleming county.

By the committee on Internal Improvement—A bill granting the right of way and corporate privileges to the Clarksville and Hopkinsville Turnpike Company.

Which were read a first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills, having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to revise the Statutes.

The eighth and ninth sections of the twenty-ninth chapter reads as follows, viz:

§ 8. In the discount of any evidence of debt, corporations authorized to loan money, may take the discount in advance, at the rate of one dollar in the hundred for every sixty days, and at that rate for a longer or shorter period, including the three days of grace. If any greater discount is taken, the whole contract for principal and interest shall be void, and anything paid thereon may be recovered back by the person paying the same, or any creditor of his may recover the same by bill in equity.

§ 9. Nothing in the last section shall prevent such corporation in discounting a bill of exchange payable out of this state, from taking the fair rate of exchange between the place where it is bought and that

where it is payable, in addition to the discount for interest as therein named. But such privilege of buying exchange, at less than par value, shall not be used to disguise a loan of money at a greater rate of discount than in the last section allowed.

Mr. G. I. Brown moved to strike out the words "principal and," after the word "thereon," and to insert the words "as interest," in the eighth section; and in the ninth section, to strike out the words "payable out of this state."

Mr. Taylor moved to lay said amendments on the table, and it was decideded in the affirmative.

The yeas and nays being required thereon by Messrs. G. I. Brown and Marshall, were as follows, viz:

Those who voted in the affirmative, were

Wm. S. Black,	Samuel L. Geiger,	George H. Morrow,
Carlo B. Brittain,	Wm. M. Gray,	Benjamin L. Owens,
George R. Burgess,	Norvin Green,	Joel Owsley,
George T. Campbell,	Wm. M. Green,	Edward C. Purdy,
Henry R. D. Coleman,	Wm. Harris,	Thomas W. Riley,
John W. Cook,	Stilwell Heady,	C. C. Rogers,
Winston J. Davie,	Samuel A. Kingman,	Joseph W. Rowlett,
Asbury Dawson,	Daniel Landes,	John L. Sallee,
Lucius Desha,	Peter Lashbrooke,	Basil G. Smith,
Joseph Dougherty,	Preston H. Leslie,	Jesse S. Taylor,
Richard H. Field,	Andrew S. Linn,	William T. Terrill,
Bernard H. Garrett,	Hiram McElroy,	John Tompson,
Squire Gatliff,	James P. Metcalfe,	James T. Woodward—39.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	John S. McFarland,
John B. Arnold,	Wm. H. Grainger,	Strother D. Mitchell,
R. T. Baker,	Thomas S. Grundy,	Joel Murphy,
Wm. Bradley,	George M. Hampton,	William Preston,
George I. Brown,	Samuel Hanson,	Burwell C. Ritter,
John B. Bruner,	P. B. Hawkins,	John Shawhan,
Edward F. Dulin,	Lysander Hord,	George W. Silvertooth,
Alvin Duvall,	Samuel B. Jesup,	Ambrose H. Talbott,
Robert English,	George W. Kavanaugh,	William T. Ward,
Edgar B. Gaither,	Joseph H. Lewis,	Elisha F. Wells,
Wm. H. Gardner,	George W. Mansfield,	G. W. Williams, of H.
Cyrenius W. Gilmore,	William C. Marshall,	Marcus L. Williams—38.
John G. Gooch,	Daniel Matthewson,	

The second section of chapter fourteen, article one, reads as follows, viz:

§ 2. The following description of personal estate, viz: gold, silver, and other metalic watches; clocks, composed in whole or in part of metal or wood; gold and silver plate; piano fortes; riding or pleasure carriages; buggies and gigs; stage coaches; omnibuses, and all descriptions of vehicles for the transportation of persons or passengers, by whatever name known or called, including the harness thereof, whether in use or not, shall be taxed *thirty cents upon each one hundred dollars of the value*

thereof, except such as are kept for sale in the store or shop of any merchant or manufacturer thereof; these shall be taxed as other estate owned by the merchant or manufacturer.

Mr. McFarland moved to strike out said section, and insert in lieu thereof the following, viz:

§ 2. Specific taxes shall remain as heretofore, to-wit: on carriages, one dollar; on pianos, one dollar; on gold watches, one dollar; buggies, fifty cents; gold spectacles, fifty cents; silver levers, fifty cents.

Mr. Davie moved, as a substitute for said amendment, to amend the original section, by striking out the words in italics, and inserting in lieu thereof the following words, "as other property."

Mr. W. M. Green moved to lay said amendments on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lewis and Desha, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	James P. Metcalfe,	Jesse S. Taylor,
George T. Campbell,	Joel Murphy,	William T. Terrill,
William M. Green,	Joel Owsley,	John Tompson,
William Harris,	C. C. Rogers,	William T. Ward—13.
Hiram McElroy,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William H. Gardner,	Joseph H. Lewis,
William W. Alexander,	Bernard H. Garrett,	Andrew S. Linn,
James B. Allen,	Squire Gatliff,	George W. Mansfield,
R. T. Baker,	Samuel L. Geiger,	Daniel Matthewson,
William Beeler,	Cyrenius W. Gilmore,	John S. McFarland,
William S. Black,	John G. Gooch,	Strother D. Mitchell,
William Bradley,	Alfred F. Graham,	Morton P. Moore,
Carlo B. Brittain,	Wm. H. Grainger,	George H. Morrow,
George I. Brown,	William M. Gray,	Benjamin L. Owens,
George P. Brown,	Norvin Green,	William Preston,
John B. Bruner,	Thomas S. Grundy,	Edward C. Purdy,
George R. Burgess,	George M. Hampton,	Thomas W. Riley,
John W. Cook,	Samuel Hanson,	Burwell C. Ritter,
Winston J. Davie,	P. B. Hawkins,	John L. Sallee,
Asbury Dawson,	Stilwell Heady,	John Shawhan,
Lucius Desha,	Lysander Hord,	George W. Silvertooth,
Joseph Dougherty,	Samuel B. Jesup,	Basil G. Smith,
Edward F. Dulin,	George W. Kavanaugh,	Ambrose H. Talbott,
Alvin Duvall,	Samuel A. Kingman,	Elisha F. Wells,
Robert English,	Daniel Landes,	G. W. Williams, of H.
Richard H. Field,	Peter Lashbrooke,	James T. Woodward—65.
Edgar B. Gaither,	Preston H. Leslie,	

Mr. McElroy moved the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dulin and Calvert, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Samuel L. Geiger,	George H. Morrow,
John B. Arnold,	William M. Green,	Joel Murphy,
William Beeler,	Samuel Hanson,	Benjamin L. Owens,
William S. Black,	Wm. Harris,	Joel Owsley,
Carlo B. Brittain,	Stilwell Heady,	Thomas W. Riley,
George T. Campbell,	Samuel B. Jesup,	John Shawhan,
Henry R. D. Coleman,	Samuel A. Kingman,	Basil G. Smith,
John W. Cook,	Daniel Landes,	Jesse S. Taylor,
Asbury Dawson,	Peter Lashbrooke,	Wm. T. Terrill,
Lucius Desha,	George W. Mansfield,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	William T. Ward,
Robert English,	James P. Metcalfe,	Elisha F. Wells,
William H. Gardner,	Morton P. Moore,	James T. Woodward—39.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Andrew S. Linn,
Robert A. Athey,	Squire Gatliff,	William C. Marshall,
R. T. Baker,	Cyrenius W. Gilmore,	Daniel Matthewson,
William Bradley,	John G. Gooch,	John S. McFarland,
George I. Brown,	Alfred F. Graham,	Strother D. Mitchell,
George P. Brown,	William H. Grainger,	William Preston,
John B. Bruner,	William M. Gray,	Edward C. Purdy,
George R. Burgess,	Thomas S. Grundy,	Joseph W. Rowlett,
Wm. H. Calvert,	P. B. Hawkins,	John L. Sallee,
Winston J. Davie,	Lysander Hord,	George W. Silvertooth,
Edward F. Dulin,	George W. Kavanaugh,	Ambrose H. Talbott,
Alvin Duvall,	Preston H. Leslie,	G. W. Williams, of H—38.
Edgar B. Gaither,	Joseph H. Lewis,	

The question was then taken upon the adoption of the amendment of Mr. Davie, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brittain and Desha, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alvin Duvall,	Hiram Klette,
James M. Alexander,	Edgar B. Gaither,	Daniel Landes,
William W. Alexander,	Wm. H. Gardner,	Joseph H. Lewis,
James B. Allen,	Bernard H. Garrett,	Joel Owsley,
Robert A. Athey,	Samuel L. Geiger,	William Preston,
William S. Black,	Alfred F. Graham,	Edward C. Purdy,
William Bradley,	William H. Grainger,	Thomas W. Riley,
George P. Brown,	Thomas S. Grundy,	Burwell C. Ritter,
William H. Calvert,	George M. Hampton,	C. C. Rogers,
George T. Campbell,	Samuel Hanson,	John Shawhan,
Henry R. D. Coleman,	P. B. Hawkins,	Basil G. Smith,
Winston J. Davie,	Lysander Hord,	Ambrose H. Talbott,
Asbury Dawson,	Samuel B. Jesup,	Elisha F. Wells,
Lucius Desha,	George W. Kavanaugh,	James T. Woodward—42.

Those who voted in the negative, were

John B. Arnold,
R. T. Baker,
Wm. Beeler,
Carlo B. Brittain,
John B. Bruner,
George R. Burgess,
John W. Cook,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
William M. Gray,
William M. Green,
William Harris,
Stilwell Heady,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Wm. B. Murphy,
Benjamin L. Owens,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Jesse S. Taylor,
Wm. T. Terrill,
John Tompson,
William T. Ward,
G. W. Williams, of H.—40.

The question was then taken upon the amendment, as amended, and decided in the negative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Lewis, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
Robert A. Athey,
Wm. Bradley,
George P. Brown,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Alvin Duvall,
Edgar B. Gaither,
William H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Wm. H. Grainger,
Thomas S. Grundy,
George M. Hampton,
P. B. Hawkins,
Samuel B. Jesup,
George W. Kavanaugh,
Hiram Klette,
Joseph H. Lewis,
William B. Murphy,
Joel Owsley,
Wm. Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
John Shawhan,
Basil G. Smith,
James T. Woodward—36.

Those who voted in the negative, were

John B. Arnold,
R. T. Baker,
William Beeler,
Wm. S. Black,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
John W. Cook,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
William M. Green,
Samuel Hanson,
Wm. Harris,
Stilwell Heady,
Lysander Hord,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Andrew S. Linn,
George W. Mansfield,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.—50.

Mr. Heady then moved a reconsideration of the previous question and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Bernard H. Garrett,	Joseph H. Lewis,
James M. Alexander,	Squire Gatliff,	William C. Marshall,
John B. Arnold,	Cyrenius W. Gilmore,	Daniel Matthewson,
Robert A. Athey,	John G. Gooch,	Strother D. Mitchell,
William Beeler,	Alfred F. Graham,	George H. Morrow,
William Bradley,	Wm. H. Grainger,	Wm. B. Murphy,
George I. Brown,	Norvin Green,	Benjamin L. Owens,
George P. Brown,	Thomas S. Grundy,	William Preston,
John B. Bruner,	George M. Hampton,	Edward C. Purdy,
George R. Burgess,	P. B. Hawkins,	Joseph W. Rowlett,
William H. Calvert,	Stilwell Heady,	John L. Sallee,
Winston J. Davie,	Lysander Hord,	George W. Silvertooth,
Lucius Desha,	George W. Kavanaugh,	Basil G. Smith,
Edward F. Dulin,	Peter Lashbrooke,	Ambrose H. Talbott,
Alvin Duvall,	Preston H. Leslie,	G. W. Williams, of H.—46.
William H. Gardner,		

Those who voted in the negative, were

James B. Allen,	Samuel L. Geiger,	James P. Metcalfe,
R. T. Baker,	William M. Gray,	Joel Murphy,
William S. Black,	William M. Green,	Joel Owsley,
Carlo B. Brittain,	Samuel Hanson,	Thomas W. Riley,
George T. Campbell,	William Harris,	Burwell C. Ritter,
Alexander P. Churchill,	Samuel B. Jesup,	C. C. Rogers,
Henry R. D. Coleman,	Samuel A. Kingman,	John Shawhan,
John W. Cook,	Hiram Klette,	Jesse S. Taylor,
Asbury Dawson,	Daniel Landes,	William T. Terrill,
Joseph Dougherty,	Andrew S. Linn,	John Tompson,
Robert English,	George W. Mansfield,	William T. Ward,
Richard H. Field,	Hiram McElroy,	Elisha F. Wells,
Edgar B. Gaither,	John S. McFarland,	James T. Woodward—39.

Mr. Leslie moved a reconsideration of the vote laying the amendment of Mr. G. I. Brown upon the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Preston, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Robert English,	Hiram Klette,
James M. Alexander,	Edgar B. Gaither,	Preston H. Leslie,
James B. Allen,	Wm. H. Gardner,	Joseph H. Lewis,
John B. Arnold,	Squire Gatliff,	William C. Marshall,
Robert A. Athey,	Cyrenius W. Gilmore,	Daniel Matthewson,
R. T. Baker,	John G. Gooch,	John S. McFarland,
Wm. Bradley,	Alfred F. Graham,	Strother D. Mitchell,

George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Alexander P. Churchill,
Lucius Desha,
Edward F. Dulin,
Alvin Duvall,
Wm. H. Grainger,
Norvin Green,
George M. Hampton,
Samuel Hanson,
Wm. Harris,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Joel Murphy,
William B. Murphy,
William Preston,
Burwell C. Ritter,
John Shawhan,
George W. Silvertooth,
Elisha F. Wells,
G. W. Williams, of H.
James T. Woodward—48.

Those who voted in the negative, were

Wm. Beeler,
Wm. S. Black,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Joseph Dougherty,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
Wm. M. Gray,
Wm. M. Green,
Thomas S. Grundy,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
Andrew S. Linn,
George W. Mansfield,
Hiram McElroy,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
Basil G. Smith,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
William T. Ward—36.

Mr. Garrett moved to lay said bill and amendment upon the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ward and Landes, were as follows, viz:

Those who voted in the affirmative, were

Bernard H. Garrett,
Daniel Landes,
John S. McFarland,
John Shawhan,
John Tompson—5.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Alexander P. Churchill,
Henry R. D. Coleman,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Squire Gatliff,
Samuel L. Geiger,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
William C. Marshall,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
William B. Murphy,
Benjamin L. Owens,
Joel Owsley,
William Preston,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
George W. Silvertooth,

John W. Cook,	George W. Kavanaugh,	Basil G. Smith,
Winston J. Davie,	Samuel A. Kingman,	Ambrose H. Talbott,
Asbury Dawson,	Hiram Klette,	Jesse S. Taylor,
Lucius Desha,	Peter Lashbrooke,	Wm. T. Terrill,
Joseph Dougherty,	Preston H. Leslie,	William T. Ward,
Edward F. Dulin,	Joseph H. Lewis,	Elisha F. Wells,
Alvin Duvall,	Andrew S. Linn,	G. W. Williams, of H.
Robert English,	George W. Mansfield,	James T. Woodward—81.

Mr. Taylor then withdrew his motion to lay the amendment of Mr. G. I. Brown on the table.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Riley and Geiger, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edgar B. Gaither,	Joseph H. Lewis,
James M. Alexander,	Wm. H. Gardner,	Andrew S. Linn,
James B. Allen,	Bernard H. Garrett,	George W. Mansfield,
John B. Arnold,	Squire Gatliff,	Wm. C. Marshall,
Robert A. Athey,	Samuel L. Geiger,	Daniel Matthewson,
R. T. Baker,	Cyrenius W. Gilmore,	Hiram McElroy,
William S. Black,	John G. Gooch,	John S. McFarland,
William Bradley,	Alfred F. Graham,	James P. Metcalfe,
Carlo B. Brittain,	William H. Grainger,	Strother D. Mitchell,
George I. Brown,	William M. Gray,	Morton P. Moore,
George P. Brown,	Norvin Green,	George H. Morrow,
John B. Bruner,	Thomas S. Grundy,	Joel Murphy,
George R. Burgess,	George M. Hampton,	William B. Murphy,
Wm. H. Calvert,	Samuel Hanson,	Benjamin L. Owens,
George T. Campbell,	William Harris,	Wm. Preston,
Henry R. D. Coleman,	P. B. Hawkins,	Edward C. Purdy,
John W. Cook,	Stilwell Heady,	Burwell C. Ritter,
Asbury Dawson,	Lysander Hord,	John Shawhan,
Lucius Desha,	Samuel B. Jesup,	George W. Silvertooth,
Joseph Dougherty,	George W. Kavanaugh,	Ambrose H. Talbott,
Edward F. Dulin,	Samuel A. Kingman,	William T. Ward,
Alvin Duvall,	Daniel Landes,	Elisha F. Wells,
Robert English,	Peter Lashbrooke,	G. W. Williams, of H.
Richard H. Field,	Preston H. Leslie,	Marcus L. Williams—72.

Those who voted in the negative, were

William Beeler,	C. C. Rogers,	Jesse S. Taylor,
Wm. M. Green,	Joseph W. Rowlett,	William T. Terrill,
Joel Owsley,	John L. Sallee,	John Tompson,
Thomas W. Riley,	Basil G. Smith,	James T. Woodward—12.

Mr. Linn moved to amend said bill, in chapter 12, article 2, section 2, by striking out the words "and fifty," and it was decided in the affirmative.

The 21st section of chapter 1, article 1, of said bill reads as follows:

§ 21. If any female, under sixteen years of age, marries without the consent of her father or guardian, or of her mother, the court having chancery jurisdiction in the county of her usual residence, shall, on the petition of a next friend, commit her estate, real and personal, to a receiver, upon his giving adequate security for the performance of his duty, who shall hold her estate, and after deducting a reasonable compensation for his services, pay out the rents and profits to her separate use, during her coverture, under the direction of the court. *After the termination of her coverture, the estate, with its avails, shall be delivered over to her or her heirs or distributees, other than the husband.*

Mr. Kavanaugh moved to strike out the word "coverture," where it first occurs, and insert "infancy;" and also, to strike out the words printed in italics, and insert the following:

When the wife shall arrive at the age of twenty-one years, the estate, with its avails, shall be delivered to her, unless the court shall consider it for her benefit and interest to continue the same longer in the hands of the receiver.

Mr. Hanson moved the previous question, and it was decided in the affirmative.

The question was then taken on the amendment of Mr. Kavanaugh, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Wm. H. Gardner,	George W. Mansfield,
James B. Allen,	Bernard H. Garrett,	William C. Marshall,
R. T. Baker,	Squire Gatliff,	Daniel Matthewson,
Wm. Beeler,	Samuel L. Geiger,	John S. McFarland,
William S. Black,	Cyrenius W. Gilmore,	James P. Metcalfe,
William Bradley,	John G. Gooch,	Strother D. Mitchell,
Carlo B. Brittain,	Alfred F. Graham,	George H. Morrow,
George I. Brown,	William H. Grainger,	Joel Murphy,
George P. Brown,	Wm. M. Gray,	Benjamin L. Owens,
John B. Bruner,	Norvin Green,	Wm. Preston,
George R. Burgess,	William M. Green,	Edward C. Purdy,
William H. Calvert,	Thomas S. Grundy,	Burwell C. Ritter,
George T. Campbell,	George M. Hampton,	Joseph W. Rowlett,
Henry R. D. Coleman,	Samuel Hanson,	John Shawhan,
Winston J. Davie,	Wm. Harris,	George W. Silvertooth,
Asbury Dawson,	P. B. Hawkins,	Basil G. Smith,
Lucius Desha,	Stilwell Heady,	Ambrose H. Talbott,
Joseph Dougherty,	Lysander Hord,	William T. Terrill,
Edward F. Dulin,	George W. Kavanaugh,	John Tompson,
Alvin Duvall,	Daniel Landes,	Elisha F. Wells,
Robert English,	Peter Lashbrooke,	G. W. Williams, of H.
Richard H. Field,	Joseph H. Lewis,	Marcus L. Williams,
Edgar B. Gaither,	Andrew S. Linn,	James T. Woodward—69.

Those who voted in the negative, were

John B. Arnold,	Preston H. Leslie,	C. C. Rogers,
Robert A. Athey,	Hiram McElroy,	John L. Sallee,
John W. Cook,	Joel Owsley,	William T. Ward—11.
Samuel A. Kingman,	Thomas W. Riley,	

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affimative.

The yeas and nays being required thereon by Messrs. Rogers and Harris, were as follows, viz :

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Squire Gatliff,	Hiram McElroy,
James M. Alexander,	Samuel L. Geiger,	James P. Metcalfe,
James B. Allen,	Cyrenius W. Gilmore,	Strother D. Mitchell,
John B. Arnold,	Wm. H. Grainger,	George H. Morrow,
Robert A. Athey,	Wm. M. Gray,	Joel Murphy,
R. T. Baker,	Norvin Green,	Benjamin L. Owens,
William Beeler,	Wm. M. Green,	Joel Owsley,
Wm. S. Black,	Thomas S. Grundy,	William Preston,
Carlo B. Brittain,	George M. Hampton,	Edward C. Purdy,
John B. Bruner,	Samuel Hanson,	Thomas W. Riley,
G. R. Burgess,	Wm. Harris,	Burwell C. Ritter.
G. T. Campbell,	P. B. Hawkins,	Christopher C. Rogers,
Henry R. D. Coleman,	Stilwell Heady,	John L. Sallee,
J. W. Cook,	Lysander Hord,	George W. Silvertooth,
Winston J. Davie,	Samuel B. Jesup,	Basil G. Smith,
Asbury Dawson,	Daniel Landes,	Jesse S. Taylor,
Joseph Dougherty,	Peter Lashbrooke,	Wm. T. Terrill,
Edward F. Dulin,	Joseph H. Lewis,	Wm. T. Ward,
Alvin Duvall,	Andrew S. Linn,	Elisha F. Wells,
Robert English,	Caleb W. Logan,	G. W. Williams, of B.
Richard H. Field,	George W. Mansfield,	Marcus L. Williams,
Edgar B. Gaither,	Wm. C. Marshall,	James T. Woodward—68.
Wm. H. Gardner,	Daniel Matthewson,	

Those who voted in the negative, were

Wm. Bradley,	John G. Gooch,	Joseph W. Rowlett,
George I. Brown,	Alfred F. Graham,	John Shawhan,
George P. Brown,	George W. Kavanaugh.	Ambrose H. Talbott,
Wm. H. Calvert,	Samuel A. Kingman,	John Tompson,
Lucius Desha,	Preston H. Leslie,	G. W. Williams of H.—17.
Bernard H. Garrett,	John S. McFarland,	

Resolved, That the title thereof be as aforesaid.

The House then took up the bill better to define the duties of the Keeper of the Penitentiary.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The house then took up the bill to fix the salary of the Clerk of the Court of Appeals, and to direct the fees of his office to be paid into the Treasury.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the clerk of the court of appeals shall have a fixed annual salary of fifteen hundred dollars, to be paid quarterly out of the public treasury.

§ 2. That he shall have one assistant clerk, whose salary shall be five hundred dollars per annum, to be paid quarterly out of the treasury.

§ 3. That whenever it is necessary for him to do so by press of business, he may employ an additional force to assist in copying records; and he shall allow persons making such copies one-fifth of the fee, as certified on the record; and he shall certify, monthly, to the auditor the fees due for the service, which shall be paid out of the treasury to the persons entitled to the same.

§ 4. That it shall be his duty to keep a regular and full record of all fees accruing in his office; and he shall pay into the treasury, quarterly, all cash received by him for fees, and shall, at the time of the payment, make affidavit of the correctness of the same.

§ 5. On or before the 15th day of January of each year, he shall make out all fee bills for the previous year, with duplicate lists of the same, arranged alphabetically, according to counties; and on each fee bill he shall endorse the county in which the party owing the same resides, and shall deliver the same to the auditor, who shall forthwith list the same with the sheriffs of the several counties where they may belong for collection; and the sheriffs with whom the same shall be listed shall proceed to collect and account for and pay the same into the treasury at the same time and in the same manner they are now required by law to account for the revenue of each year; and all sheriffs to be subject to motion and to the same penalties as to such fee bills; in case of forfeiture, to account for and to pay the same as they are now as to revenue; and in making returns of delinquents and removals, they shall be governed by the laws now in force in relation to delinquent tax payers, and shall be entitled to credit under the same rules and regulations.

§ 6. The sheriff shall be allowed ten per cent. on the amount of all such fee bills as he may collect and pay into the treasury.

§ 7. All stationery used by the clerk shall be furnished by the state, and shall be certified by him under oath to the auditor, who shall allow the same, and the amount shall be paid out of the treasury.

§ 8. The auditor shall keep a separate account of all receipts and expenditures under this law, so as to show at any time the precise state of the account.

Mr. Calvert moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gooch and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Samuel Hanson,	William B. Murphy,
R. T. Baker,	William Harris,	Thomas W. Riley,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
George P. Brown,	Stilwell Heady,	C. C. Rogers,
George R. Burgess,	Lysander Hord,	Ambrose H. Talbott,
William H. Calvert,	Samuel B. Jesup,	Jesse S. Taylor,
George T. Campbell,	Peter Lashbrooke,	John Tompson,
William H. Gardner,	William C. Marshall,	William T. Ward,
Samuel L. Geiger,	Morton P. Moore,	G. W. Williams, of H.
Alfred F. Graham,	George H. Morrow,	Marcus L. Williams—31.
Wm. H. Grainger,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Richard H. Field,	Daniel Matthewson,
James M. Alexander,	Edgar B. Gaither,	Hiram McElroy,
James B. Allen,	Bernard H. Garrett,	John S. McFarland,
Robert A. Athey,	Squire Gatliff,	James P. Metcalfe,
William Beeler,	Cyrenius W. Gilmore,	Strother D. Mitchell,
William S. Black,	John G. Gooch,	Joel Murphy,
William Bradley,	William M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Joel Owsley,
John B. Bruner,	William M. Green,	Edward C. Purdy,
Henry R. D. Coleman,	Thomas S. Grundy,	Joseph W. Rowlett,
John W. Cook,	George M. Hampton,	John L. Sallee,
Winston J. Davie,	George W. Kavanaugh,	John Shawhan,
Asbury Dawson,	Samuel A. Kingman,	George W. Silvertooth,
Lucius Desha,	Daniel Landes,	Basil G. Smith,
Joseph Dougherty,	Preston H. Leslie,	William T. Terrill,
Edward F. Dulin,	Joseph H. Lewis,	Elisha F. Wells,
Alvin Duvall,	Andrew S. Linn,	G. W. Williams, of B.
Robert English,	George W. Mansfield,	James T. Woodward—54.

On motion of Mr. Leslie,

Ordered, That the further consideration of said bill be postponed until to-morrow at 3 o'clock, P. M.

Mr. Field, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled,

An act to incorporate the Burlington and Florence Turnpike Road Company.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Field inform the Senate thereof.

And then the House adjourned.

TUESDAY, MARCH 18, 1851.

Mr. Jacob S. Golladay, the member returned to serve in this House from the county of Logan, in the place of John F. Todd, deceased, appeared, and having produced a certificate of his election, and taken the oath prescribed by the constitution, took his seat.

1. Mr. Hanson presented the petition of citizens of Clarke county, praying the passage of a law giving Clerks of Courts, &c., power to grant injunctions.

2. Mr. Williams, of Bourbon, presented the petition of the Trustees of Paris, praying an increase of their powers.

Which were received, the readings dispensed with, and referred to the committee on the Judiciary.

The Speaker appointed Messrs. Grainger, Preston, and Churchill, a committee of conference, on the part of this House, to meet the committee on the part of the Senate, on the bill from the Senate, entitled, an act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

The House then took up the motion made by Mr. Grainger, on Saturday last, to reconsider the vote laying on the table the bill to provide for the payment of jurors, who try cases before Magistrates, and the amendment.

And the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilmore and Dulin, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Morton P. Moore,
James B. Allen,	Alfred F. Graham,	George H. Morrow,
R. T. Baker,	Wm. H. Grainger,	Wm. B. Murphy,
William S. Black,	William M. Gray,	Joel Owsley,
Carlo B. Brittain,	Norvin Green,	William Preston,
George P. Brown,	Thomas S. Grundy,	C. C. Rogers,
George R. Burgess,	P. B. Hawkins,	John L. Sallee,
George T. Campbell,	George W. Kavanaugh,	John Shawhan,
Henry R. D. Coleman,	Daniel Landes,	George W. Silvertooth,
John W. Cook,	Preston H. Leslie,	Ambrose H. Talbott,
Winston J. Davie,	Joseph H. Lewis,	Thomas Todd,
Asbury Dawson,	George W. Mansfield,	William T. Ward,
Lucius Desha,	Daniel Matthewson,	Marcus L. Williams,
Cyrenius W. Gilmore,	Strother D. Mitchell,	James T. Woodward—42.

Those who voted in the negative, were

John B. Arnold,	Squire Gatliff,	John S. McFarland,
Robert A. Athey,	Samuel L. Geiger,	James P. Metcalfe,
William Beeler,	William M. Green,	Joel Murphy,
William Bradley,	George M. Hampton,	Benjamin L. Owens,
George I. Brown,	Samuel Hanson,	Edward C. Purdy,
John B. Bruner,	William Harris,	Thomas W. Riley,
William H. Calvert,	Lysander Hord,	Burwell C. Ritter,
Robert H. Campbell,	Samuel B. Jesup,	Joseph W. Rowlett,
Joseph Dougherty,	Samuel A. Kingman,	Basil G. Smith,
Edward F. Dulin,	Peter Lashbrooke,	Jesse S. Taylor,
Alvin Duvall,	Andrew S. Linn,	William T. Terrill,
Robert English,	Caleb W. Logan,	John Tompson,
Richard H. Field,	William C. Marshall,	Elisha F. Wells,
Edgar B. Gaither,	Hiram McElroy,	G. W. Williams, of H.—43.
William H. Gardner,		

Mr. Baker, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such railroad company as may pass through said counties, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill being dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Williams, of Hancock, from the committee to whom was referred a bill from the Senate, entitled, an act to change the lines of a Magistrates' and Constable's district in Boone county, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title be amended, to read, "an act to change the lines of a Magistrates' and Constable's district in Boone and Russell counties.

Mr. Williams, from the same committee, to whom was referred a bill from the Senate, entitled, an act defining the boundaries of the Magistrates' and Constables' districts in Pulaski county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Williams, from the same committee, to whom was referred a bill from the Senate, entitled, an act to change the place of voting in the fifth district, in Nicholas county, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the place of voting in the fifth Magistrates' district, in Nicholas county, shall be at Moorefield, at the house of Robinson and Morgan, instead of the Union Meeting House, the place fixed by the Commissioners; and said store house in Moorefield shall be the place of voting in said precinct.

Mr. Metcalfe, moved to amend said bill, by striking out all after the enacting clause, and inserting the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the proper officers holding the election in justices' district, No. 5, in Nicholas county, on the second Monday in May next, to take the sense of the qualified voters of said district upon the question of removing the place of voting in said district from its present location at Union Meeting House to Moorefield; and for that purpose two columns shall be opened in the poll-book in said district at said election, one of which shall be headed, "for removal," and the other "against removal;" and the officers of said election shall propound to each voter who shall vote at said election the question, "are you in favor of removing the voting place in this district to Moorefield, or against it?" and shall make a true record of the votes, and certify the result of the vote upon said question to the county court of said county at the term succeeding said eiection, or any subsequent term; and if a majority of the votes cast for and against said removal shall have been in favor of said removal, it shall be the duty of said county court to make an order changing the voting place in said district to Moorefield, and thereafter all elections in said district shall be held at that place.

§ 2. That in the event said place of voting be changed, as provided for in this act, the clerk of said court shall certify said change to the secretary of state.

Mr. Dulin moved to lay said amendment on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Metcalfe and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Strother D. Mitchell,
Wm. W. Alexander,	Wm. H. Grainger,	Morton P. Moore,
John B. Arnold,	Wm. M. Green,	Joel Murphy,
Robert A. Athey,	Samuel Hanson,	William B. Murphy,
R. T. Baker,	Wm. Harris,	Joel Owsley,
Wm. Beeler,	P. B. Hawkins,	Thomas Y. Payne,
George I. Brown,	Lysander Hord,	Burwell C. Ritter,
George P. Brown,	Samuel B. Jesup,	John L. Sallee,

John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Edward F. Dulin,
Squire Gatliff,
Cyrenius W. Gilmore,
Samuel A. Kingman,
Hiram Klette,
Joseph H. Lewis,
Andrew S. Linn,
William C. Marshall,
John S. McFarland,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of H.—41.

Those who voted in the negative, were

James M. Alexander,
James B. Allen,
Wm. S. Black,
Wm. Bradley,
Carlo B. Brittain,
Wm. H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Edward C. Purdy,
Thomas W. Riley,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams—41.

The question was then taken on the adoption of the amendment of Mr. Metcalfe, as a substitute, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hampton and Metcalfe, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
James B. Allen,
William S. Black,
Wm. Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Samuel L. Geiger,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
George M. Hampton,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
James P. Metcalfe,
George H. Morrow,
Benjamin L. Owens,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
Ambrose H. Talbott,
Wm. T. Terrill,
John Tompson,
G. W. Williams, of H.
Marcus L. Williams—43.

Those who voted in the negative, were

William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Samuel Hanson,
William Harris,
P. B. Hawkins,
Lysander Hord,
Samuel A. Kingman,
Hiram Klette,
Preston H. Leslie,
Joseph H. Lewis,
William B. Murphy,
Joel Owsley,
Thomas Y. Payne,
William Preston,
Thomas W. Riley,
Burwell C. Ritter,
George W. Silvertooth,
Jesse S. Taylor,

Robert H. Campbell,	Andrew S. Linn,	Thomas Todd,
Edward F. Dulin,	Caleb W. Logan,	William T. Ward,
Robert English,	William C. Marshall,	Elisha F. Wells,
Cyrenius W. Gilmore,	Strother D. Mitchell,	G. W. Williams, of B.
William H. Grainger,	Morton P. Moore,	James T. Woodward—41.
Wm. M. Green,	Joel Murphy,	

Ordered, that said bill be read a third time, as amended.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Williams, from the same committee, to whom was referred a bill to extend the limits of Magistrates' and Constable's district, No. 7, in Kenton county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill, having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Klette, made the following report, viz:

The joint committee to whom was referred the following joint resolution, viz:

"*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of five on the part of the House of Representatives, and three on the part of the Senate, be appointed, whose duty it shall be to inquire into the expediency of removing the seat of Government from Frankfort to Louisville, or some other place; and to inquire, by correspondence or otherwise, as to the terms which can be made for the removal of the same to said city of Louisville; and what would be the cost or charges to the Commonwealth of Kentucky."

Have had that subject under consideration, and beg leave to report that they consider it expedient, and advisable, and proper, that the location of the seat of Government of this Commonwealth should be changed from the city of Frankfort to some other more convenient and accessible point, which would accommodate a large majority of the citizens of this Commonwealth, as the population of the same now exists. Your committee are aware that the contemplated removal, if carried out, will inflict serious injury upon the numerous worthy and hospitable citizens and property holders in the city of Frankfort; but deem the manifest interest of the State at large should be considered of paramount importance to that of a mere locality.

Your committee believe that the time has come to have this vexed question settled, both for the advantage of the people of this Commonwealth, and the citizens of Frankfort, at the commencement of a new and important era in the history of the Commonwealth.

Your committee received and considered propositions upon the contemplated removal from the towns of Danville, Harrodsburg, and Bardstown, made through their representatives, but not, as your committee un-

towns, and therefore presume it unnecessary to state the substance of those propositions.

Your committee have also received a proposition from the city of Louisville, and taking into consideration the location, and the accessibility of that city from the various portions of the State of Kentucky, derstand, issuing in regular form from the constituted authorities of said and the liberal proposition made by the Mayor and Council of the city to the State, in case a removal shall be effected, your committee are of opinion that the city of Louisville should be the seat of Government of this Commonwealth.

The Mayor and Council of the city of Louisville proposed and promised to your committee, that in the event the seat of Government shall be removed by an act of the present General Assembly from Frankfort to the city of Louisville, to furnish, on or before the 1st day of September next, in a suitable and appropriate style, at the *exclusive charge of the city*, the several apartments necessary for the accommodation of the Legislature, the courts, and several offices at the seat of Government, in the stone edifice known as the new court house, situated on Jefferson street, between fifth and sixth streets, and cause to be made to the State of Kentucky a clear and unincumbered conveyance of the ground upon which said edifice is erected and its appendages, with a proviso, that if the seat of Government shall ever be removed from the city of Louisville, the title to said ground and improvements thereon shall revert to, and be reinvested in the city of Louisville, &c. The property proposed to be conveyed by the city of Louisville is estimated to be worth the sum of ($400,000) four hundred thousand dollars, and the whole proposition is identical with the one made by the city authorities of Louisville in the year 1842, and entered of record in the Journal of the House of Representatives of that year, to which for greater accuracy reference is here made. All of which is respectfully submitted.

HIRAM KLETTE, *Chairman of H. R. com.*
JAS. P. BARBOUR, *Chairman of Senate com.*

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to prevent the destruction of fish in Floyd's fork.

An act to amend the charter of the Covington and Lexington Turnpike Road Company, and to incorporate the Georgetown and Dry Ridge Turnpike Road Company, as a separate and independent company.

An act to authorize the several Circuit Courts to change the venue in penal and criminal prosecutions.

An act to amend an act, entitled, an act to incorporate the town of Lancaster.

An act to authorize the county of Bourbon to issue bonds, and to subscribe stock in the Covington and Lexington, and Maysville and Lexington Railroad Companies.

With amendments to the three last named bills.

That they had concurred in a resolution from this House fixing a day for the adjournment of the General Assembly.

That they had passed bills of the following titles, viz:

An act providing the mode for the prosecution of slaves for felony.

An act to incorporate the Big Bone Hotel Company.

An act to establish a levy and monthly County Court for Jefferson county.

An act to authorize the Grant County Court to lay an additional levy at their April or May term.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Owsley—1. A bill for the benefit of school districts in Cumberland county.

By the committee on County Courts—2. A bill to establish a July term of the Wayne County Court.

By Mr. Williams, of Hancock—3. A bill concerning Magistrates and Constables.

By same—4. A bill concerning Justices' and Constables' districts in Monroe county.

By same—5. A bill to change the line between districts Nos. 2 and 3, in Mercer county.

By same—6. A bill to change the boundary and place of voting in Magistrates' and Constable's district, No. 2, in Scott county, and the voting place of district No. 2, in Grant county.

By same—7. A bill changing the boundaries of Justices' district, No. 6, in Marion county.

By same—8. A bill to establish an additional Magistrates' and Constables' district in Nelson county.

By same—9. A bill to amend the Justices' district of Lewisburg, in the county of Mason.

By same—10. A bill to change a voting place and certain Magistrates' and Constables' districts in Ohio county.

By same—11. A bill to change the boundary and place of voting in certain Magistrates' and Constables' districts in Shelby county, and to provide for changing the voting place in district No. 5, in Hopkins county.

By same—12. A bill to change certain districts in Spencer county.

By same—13. A bill changing the Justices' district in Muhlenburg county, and establishing an election precinct.

By same—14. A bill making Lafayette, in Christian county, a place of voting.

By same—15. A bill concerning certain Magistrates' and Constables' districts in Lewis county.

By same—16. bill to alter certain districts in Barren county.

By same—17. A bill to change the places of voting in district No. 3, in Simpson county; in district No. 5, in Woodford county; in district No. 8, in Breckinridge county; and in district No. 6, in Henderson county.

By same—18. A bill concerning districts for the election of Justices of the Peace and Constables, to authorize the establishment of an additional district, and to change a place of voting in one district in Caldwell county.

By same—19. A bill to change certain districts in Garrard and Nicholas counties.

By same—20. A bill authorizing a change of the voting place in district No. 3, in Trimble county.

By same—21. A bill to amend the boundary of district No. 5, in Pendleton county.

By same—22. A bill establishing certain voting places in Harrison county.

By same—23. A bill to appoint Commissioners to change the boundaries of certain Magistrates' and Constables' districts in Owen county.

By same—24. A bill to change the place of voting in the fifth Justices' district, in the county of Owen.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Klette moved the following resolution, viz:

Resolved, That the committee on the removal of the seat of Government be instructed to report to this House a bill providing for the removal of the seat of Government from Frankfort to Louisville, on proper conditions, and in conformity to the substance of the report of said committee; and that they report said bill to this House on Wednesday, at 10 o'clock.

And the question being taken on the adoption of the same, it was decided in the negative; and so the said resolution was rejected.

The yeas and nays being required thereon by Messrs. McElroy and Leslie, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	John G. Gooch,	Daniel Matthewson,
Wm. Beeler,	William H. Grainger,	Hiram McElroy,
William Bradley,	Thomas S. Grundy,	Benjamin L. Owens,
George T. Campbell,	Hiram Klette,	Joel Owsley,
Henry R. D. Coleman,	Daniel Landes,	Thomas W. Riley,
Winston J. Davie,	Peter Lashbrooke,	Burwell C. Ritter,

Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Robert English,	Joseph H. Lewis,	William T. Ward,
Richard H. Field,	Caleb W. Logan,	Elisha F. Wells,
Bernard H. Garrett,	George W. Mansfield,	Marcus L. Williams—31.
Samuel L. Geiger,		

Those who voted in the negative, were

William W. Alexander,	Alfred F. Graham,	John Rodman,
John B. Arnold,	Wm. M. Gray,	C. C. Rogers,
Robert A. Athey,	Norvin Green,	Joseph W. Rowlett,
R. T. Baker,	William M. Green,	John L. Sallee,
William S. Black,	Samuel Hanson,	John Shawhan,
Carlo B. Brittain,	Wm. Harris,	George W. Silvertooth,
John B. Bruner,	Lysander Hord,	AlbertG. Talbott,
Robert H. Campbell,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Samuel A. Kingman,	William T. Terrill,
Lucius Desha,	Andrew S. Linn,	Thomas Todd,
Joseph Dougherty,	James P. Metcalfe,	John Tompson,
Edward F. Dulin,	Strother D. Mitchell,	G. W. Williams, of B,
Alvin Duvall,	George H. Morrow,	G. W. Williams, of H.
Edgar B. Gaither,	Joel Murphy,	James T. Woodward,
Squire Gatliff,	Thomas Y. Payne,	Edmund Wooldridge—47.
Cyrenius W. Gilmore,	Edward C. Purdy,	

Mr. Lewis moved the following resolution, viz:

Resolved, That this House shall, from this time to the end of the session, hold night sessions, beginning at 7 o'clock each evening; and that to enable the Clerk to do the business, he is hereby authorized to employ another assistant clerk or clerks.

Which was adopted.

The House took up the bill from the Senate, entitled, an act to fix the time of holding Circuit Courts in this Commonwealth, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Garrett moved to amend said bill, by striking out the twelfth district, and inserting in lieu thereof the following:

In the county of Johnson, on the first Monday in March and September, and continue, each, six juridical days.

In the county of Floyd, on the second Monday in March and September, and continue, each, twelve juridical days.

In the county of Pike, on the fourth Monday in March and September, and continue, each, six juridical days.

In the county of Letcher, on the first Monday in April and October, and continue, each, six juridical days.

In the county of Perry, on the second Monday in April and October, and continue, each, six juridical days.

In the county of Harlan, on the third Monday in April and October, and continue, each, six juridical days.

In the county of Knox, on the fourth Monday in April and October, and continue, each, twelve juridical days.

In the county of Whitley, on the second Monday in May and November, and continue, each, six juridical days.

In the county of Laurel, on the third Monday in May and November, and continue, each, six juridical days.

In the county of Rockcastle, on the fourth Monday in May and November, and continue, each, six juridical days.

In the county of Clay, on the first Monday in June and December, and continue, each, twelve juridical days.

In the county of Owsley, on the third Monday in June and December, and continue, each, six juridical days.

In the county of Breathitt, on the fourth Monday in June and December, and continue, each, six juridical days.

Mr. W. M. Green moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrett and Woodward, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Squire Gatliff,	Thomas Y. Payne,
William Beeler,	Norvin Green,	Edward C. Purdy,
Wm. S. Black,	Wm. M. Green,	Burwell C. Ritter.
Carlo B. Brittain,	Samuel Hanson,	John Rodman,
George P. Brown,	Wm. Harris,	Joseph W. Rowlett,
John B. Bruner,	Daniel Landes,	John L. Sallee,
G. R. Burgess,	Peter Lashbrooke,	Basil G. Smith,
Robert H. Campbell,	Caleb W. Logan,	Wm. T. Terrill,
G. T. Campbell,	Hiram McElroy,	John Tompson,
Henry R. D. Coleman,	John S. McFarland,	Wm. T. Ward,
Asbury Dawson,	Joel Murphy,	Elisha F. Wells,
Joseph Dougherty,	Benjamin L. Owens,	G. W. Williams, of H.
Edward F. Dulin,	Joel Owsley,	James T. Woodward—40.
Robert English,		

Those who voted in the negative, were

William W. Alexander,	Alfred F. Graham,	George W. Mansfield,
Robert A. Athey,	Thomas S. Grundy,	Daniel Matthewson,
R. T. Baker,	P. B. Hawkins,	James P. Metcalfe,
Lucius Desha,	Lysander Hord,	George H. Morrow,
Richard H. Field,	Samuel B. Jesup,	John Shawhan,
Wm. H. Gardner,	Samuel A. Kingman,	Jesse S. Taylor,
Bernard H. Garrett,	Hiram Klette,	Thomas Todd.
John G. Gooch,	Preston H. Leslie,	Edmund Wooldridge—24.

Mr. Shawhan moved to amend said bill, in the ninth district, by striking out from line 3 to line 12, inclusive, and inserting in lieu thereof the following, viz:

In the county of Harrison, on the second Monday in March and September, and continue twelve juridical days.

In the county of Bourbon, on the fourth Monday in March and September, and continue twelve juridical days.

In the county of Nicholas, on the second Monday in April and October, and continue twelve juridical days.

In the county of Mason, on the fourth Monday in April and October, and continue eighteen juridical days.

In the county of Bracken, on the third Monday in May and November, and continue twelve juridical days.

Mr. Hanson moved to lay said amendment on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Shawhan and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	William Harris,	John Rodman,
Robert A. Athey,	Samuel A. Kingman,	Joseph W. Rowlett,
William Beeler,	Hiram Klette,	John L. Sallee,
John B. Bruner,	Peter Lashbrooke,	Albert G. Talbott,
Wm. H. Calvert,	Preston H. Leslie,	Jesse S. Taylor,
Robert H. Campbell,	Caleb W. Logan,	Thomas Todd,
Winston J. Davie,	John S. McFarland,	John Tompson,
Edward F. Dulin,	James P. Metcalfe,	William T. Ward,
Robert English,	Strother D. Mitchell,	Elisha F. Wells,
Squire Gatliff,	Morton P. Moore,	G. W. Williams, of B.
Jacob S. Golladay,	Joel Murphy,	G. W. Williams, of H.
William H. Grainger,	Joel Owsley,	Marcus L. Williams,
William M. Gray,	Thomas Y. Payne,	James T. Woodward,
Wm. M. Green,	Thomas W. Riley,	Edmund Wooldridge—43.
Samuel Hanson,		

Those who voted in the negative, were

James B. Allen,	Joseph Dougherty,	Joseph H. Lewis,
John B. Arnold,	Alvin Duvall,	Andrew S. Linn,
R. T. Baker,	Richard H. Field,	George W. Mansfield,
William S. Black,	Wm. H. Gardner,	Daniel Matthewson,
William Bradley,	Bernard H. Garrett,	George H. Morrow,
Carlo B. Brittain,	Alfred F. Graham,	Edward C. Purdy,
George T. Campbell,	Norvin Green,	Burwell C. Ritter,
Henry R. D. Coleman,	Thomas S. Grundy,	John Shawhan,
John W. Cook,	Samuel B. Jesup,	Ambrose H. Talbott,
Asbury Dawson,	George W. Kavanaugh,	William T. Terrill—32.
Lucius Desha,	Daniel Landes,	

Mr. Ward moved the previous question, and it was decided in the affirmative.

The main question was then put—"shall the bill, as amended, be read a third time?" and it was decided in the affirmative.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up for consideration the bill to fix the salary of the Clerk of the Court of Appeals, and to direct the fees of his office to be paid into the Treasury.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the clerk of the court of appeals shall have a fixed annual salary of fifteen hundred dollars, to be paid quarterly out of the public treasury.

§ 2. That he shall have an assistant clerk, whose salary shall be five hundred dollars per annum, to be paid quarterly out of the treasury.

§ 3. That whenever it is necessary for him to do so by press of business, he may employ an additional force to assist in copying records; and he shall allow persons making such copies one-fifth of the fee, as certified on the record; and he shall certify, monthly, to the auditor the fees due for the service, which shall be paid out of the treasury to the persons entitled to the same.

§ 4. That it shall be his duty to keep a regular and full record of all fees accruing in his office; and he shall pay into the treasury, quarterly, all cash received by him for fees, and shall, at the time of payment, make affidavit of the correctness of the same.

§ 5. On or before the fifteenth day of January of each year, he shall make out all fee bills for the previous year, with duplicate lists of the same, arranged alphabetically, according to counties; and on each fee bill he shall endorse the county in which the party owing the same resides, and shall deliver the same to the auditor, who shall forthwith list the same with the sheriffs of the several counties where they may belong, for collection; and the sheriffs, with whom the same shall be listed, shall proceed to collect, and account for, and pay the same into the treasury, at the same time and in the same manner they are now required by law to account for the revenue of each year; and all sheriffs to be subject to motion and to the same penalties as to such fee bills, in case of failure to account for and to pay the same, as they are now as to revenue; and in making returns of delinquents and removals, they shall be governed by the laws now in force in relation to delinquent tax-payers, and shall be entitled to credit under the same rules and regulations.

§ 6. The sheriff shall be allowed ten per cent. on the amount of all such fee bills as he may collect and pay into the treasury.

§ 7. All stationery, used by the clerk shall be furnished by the state, and shall be certified by him, under oath, to the auditor, who shall allow the same, and the amount shall be paid out of the treasury.

§ 8. The auditor shall keep a separate account of all receipts and expenditures under this law, so as to show at any time the precise state of the account.

Mr. Ward moved to amend said bill, by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That the fees now given by law to the clerk of the court of appeals be and are hereby reduced one-fifth; and that the clerk of said court, when he makes out his fees according to the existing laws, shall, before he collects any part of the fees due and payable by any party in said court, deduct from the amount thereof one-fifth; and he shall be authorized to

collect only the remaining four-fifths of said fees; and if said clerk collects, or attempts to collect of any person any more than four-fifths of the fees now allowed by law, he shall be liable to such penalty or penaltios as are now prescribed by law for collecting, or attempting to collect, illegal fee bills.

Mr. Kavanaugh moved the previous question, and it was decided in the affirmative.

The main question was then put—"shall the amendment of Mr. Ward be adopted?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ward and Athey, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	Alfred F. Graham,	Thomas Y. Payne,
R. T. Baker,	Samuel Hanson,	Burwell C. Ritter,
George P. Brown,	Lysander Hord,	C. C. Rogers,
George R. Burgess,	Daniel Landes,	John Shawhan,
Robert H. Campbell,	Peter Lashbrooke,	Ambrose H. Talbott,
Henry R. D. Coleman,	Preston H. Leslie,	Jesse S. Taylor,
Winston J. Davie,	Andrew S. Linn,	Wm. T. Terrill,
Robert English,	George W. Mansfield,	Thomas Todd,
Richard H. Field,	Strother D. Mitchell,	William T. Ward,
Edgar B. Gaither,	Morton P. Moore,	G. W. Williams, of H.
Samuel L. Geiger,	George H. Morrow,	Marcus L. Williams,
Jacob S. Golladay,	Joel Owsley,	Edmund Wooldridge—37.
John G. Gooch,		

Those who voted in the negative, were

James B. Allen,	Bernard H. Garrett,	John S. McFarland,
William Beeler,	Squire Gatliff,	James P. Metcalfe,
William S. Black,	William H. Grainger,	Joel Murphy,
William Bradley,	William M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Edward C. Purdy,
John B. Bruner,	William M. Green,	Thomas W. Riley,
Wm. H. Calvert,	Thomas S. Grundy,	John Rodman,
George T. Campbell,	P. B. Hawkins,	Joseph W. Rowlett,
John W. Cook,	Samuel B. Jesup,	John L. Sallee,
Asbury Dawson,	George W. Kavanaugh,	George W. Silvertooth,
Lucius Desha,	Samuel A. Kingman,	John Tompson,
Joseph Dougherty,	Joseph H. Lewis,	Elisha F. Wells,
Edward F. Dulin,	Caleb W. Logan,	George W. Williams, of B.
Alvin Duvall,	Daniel Matthewson,	James T. Woodward—44.
William H. Gardner,	Hiram McElroy,	

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. N. Green and Williams, of Bourbon, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Squire Gatliff,	Morton P. Moore,
William Beeler,	John G. Gooch,	Joel Murphy,
Wm. S. Black,	Norvin Green,	Benjamin L. Owens,

Wm. Bradley,
Carlo B. Brittain,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Richard H. Field,
Bernard H. Garrett,
William M. Green,
Thomas S. Grundy,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Joseph H. Lewis,
Andrew S. Linn,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Joel Owsley,
Edward C. Purdy,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
John Tompson,
Elisha F. Wells,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—44.

Those who voted in the negative, were

Robert A. Athey,
R. T. Baker,
George P. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Alvin Duvall,
Edgar B. Gaither,
William H. Gardner,
Samuel L. Geiger,
Jacob S. Golladay,
Alfred F. Graham,
Wm. H. Grainger,
William M. Gray,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Peter Lashbrooke,
Preston H. Leslie,
Caleb W. Logan,
Strother D. Mitchell,
George H. Morrow,
Thomas Y. Payne,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
William T. Ward,
G. W. Williams, of H.
Edmund Wooldridge—37.

On motion of Mr. Williams, of Bourbon,

Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

At a quarter of 6 o'clock, P. M., Mr. Garrett moved an adjournment.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,
R. T. Baker,
William S. Black,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Joseph Dougherty,
Bernard H. Garrett,
Squire Gatliff,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Thomas S. Grundy,
P. B. Hawkins,
Samuel B. Jesup,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Benjamin L. Owens,
Thomas W. Riley,
John Rodman,
Ambrose H. Talbott,
Jesse S. Taylor,
Wm. T. Terrill,
Edmund Wooldridge—28.

Those who voted in the negative, were

James B. Allen,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Jacob S. Golladay,
John G. Gooch,
Norvin Green,
William M. Green,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
Burwell C. Ritter,

George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Edward F. Dulin,
Robert English,
Richard H. Field,
Edgar B. Gaither,
Samuel L. Geiger,
Samuel Hanson,
William Harris,
Lysander Hord,
George W. Kavanaugh,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Wiillams,
James T. Woodward—47.

Mr. Ward then moved that the House take a recess until 7 o'clock, P. M., and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Calvert and Athey, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
William H. Gardner,
Samuel L. Geiger,
Jacob S. Golladay,
John G. Gooch,
William M. Gray,
Norvin Green,
Thomas S. Grundy,
Samuel Hanson,
William Harris,
Lysander Hord,
George W. Kavanaugh,
Daniel Landes,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Daniel Matthewson,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
John Shawhan,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward,
Edmund Wooldridge—56.

Those who voted in the negative, were

Robert A. Athey,
R. T. Baker,
William S. Black,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert English,
Bernard H. Garrett,
Squire Gatliff,
Alfred F. Graham,
Wm. H. Grainger,
P. B. Hawkins,
Samuel B. Jesup,
George W. Mansfield,
Hiram McElroy,
George H. Morrow,
Thomas W. Riley,
Joseph W. Rowlett,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill—21.

At a quarter past 7 o'clock, P. M., Mr. Garrett moved an adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hanson and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Lysander Hord,	Benjamin L. Owens,
John B. Arnold,	Samuel B. Jesup,	Thomas W. Riley,
Robert A. Athey,	Peter Lashbrooke,	Jesse S. Taylor,
Bernard H. Garrett,	Preston H. Leslie,	Thomas Todd,
Thomas S. Grundy,	Hiram McElroy,	William T. Ward—16.
P. B. Hawkins,		

Those who voted in the negative, were

James B. Allen,	Edgar B. Gaither,	Strother D. Mitchell,
R. T. Baker,	Squire Gatliff,	Morton P. Moore,
Wm. Bradley,	Jacob S. Golladay,	Joel Owsley,
Carlo B. Brittain,	Norvin Green,	Thomas Y. Payne,
John B. Bruner,	Samuel Hanson,	Joseph W. Rowlett,
George T. Campbell,	Wm. Harris,	John L. Sallee,
Henry R. D. Coleman,	George W. Kavanaugh,	George W. Silvertooth,
Asbury Dawson,	Daniel Landes,	William T. Terrill,
Edward F. Dulin,	Joseph H. Lewis,	John Tompson,
Alvin Duvall,	George W. Mansfield,	G. W. Williams, of H.
Robert English,	Daniel Matthewson,	Marcus L. Williams,
Richard H. Field,	James P. Metcalfe,	Edmund Wooldridge—36.

A bill from the Senate, entitled, an act to amend the exemption laws, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill being dispensed with,

On motion of Mr. Kavanaugh the said bill was then amended.

The second section of said bill reads as follows, viz:

§ 2. That hereafter, there shall be exempt from execution, on all contracts hereafter made, "one work horse," five head of sheep, one cooking stove and appendages, and other cooking utensils, not exceeding in value twenty-five dollars, in addition to the specified articles now exempt from execution.

Mr. Dawson moved to amend said section, by striking out the words "one work horse."

Mr. Kavanaugh moved the previous question, and it was decided in the affirmative.

The question was then taken—"shall the amendment of Mr. Dawson be adopted?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brittain and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Carlo B. Brittain,	Squire Gatliff,	George H. Morrow,
George P. Brown,	Jacob S. Golloday,	Joel Murphy,
George T. Campbell,	Wm. M. Green,	Benjamin L. Owens,
Henry R. D. Coleman,	Preston H. Leslie,	Burwell C. Ritter,
John W. Cook,	Joseph H. Lewis,	C. C. Rogers,
Asbury Dawson,	Daniel Matthewson,	John Tompson—19.
Bernard H. Garrett,		

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Morton P. Moore,
William W. Alexander,	Norvin Green,	Joel Owsley,
James B. Allen,	Thomas S. Grundy,	Thomas Y. Payne,
John B. Arnold,	Samuel Hanson,	Edward C. Purdy,
Robert A. Athey,	William Harris,	Thomas W. Riley,
R. T. Baker,	P. B. Hawkins,	John Rodman,
John B. Bruner,	Lysander Hord,	Joseph W. Rowlett,
George R. Burgess,	Samuel B. Jesup,	John L. Sallee,
Robert H. Campbell,	George W. Kavanaugh,	John Shawhan,
Winston J. Davie,	Samuel A. Kingman,	George W. Silvertooth,
Lucius Desha,	Daniel Landes,	Wm. T. Terrill,
Joseph Dougherty,	Peter Lashbrooke,	Thomas Todd,
Edward F. Dulin,	Andrew S. Linn,	William T. Ward,
Alvin Duvall,	Caleb W. Logan,	G. W. Williams, of H.
Robert English,	George W. Mansfield,	Marcus L. Williams,
Richard H. Field,	Hiram McElroy,	James T. Woodward,
Edgar B. Gaither,	James P. Metcalfe,	Edmund Wooldridge—53.
Samuel L. Geiger,	Strother D. Mitchell,	

Ordered, That said bill be read a third time.

On motion of Mr. Kavanaugh,

Ordered, That said bill have its third reading to-morrow, at twelve o'clock, M.

A bill from the Senate, entitled, an act allowing to the county of Warren one additional district, for the election of Justices of the Peace and Constables, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill being dispensed with,

Mr. Rodman moved to amend said bill, by adding thereto the following, viz:

Be it further enacted, That the law authorizing the re-districting of the county of Henry into Magistrates' and Constables' districts, approved January, 1851, be and the same is hereby repealed; and the decision first made by commissioners appointed by the act appointing commissioners for that purpose, approved December, 1850, is declared to be in full force.

Mr. N. Green moved to lay said amendment on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rodman and Landes, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Edgar B. Gaither,	James P. Metcalfe,
William Bradley,	William H. Gardner,	George H. Morrow,
Carlo B. Brittain,	Bernard H. Garrett,	Benjamin L. Owens,
George T. Campbell,	Samuel L. Geiger,	C. C. Rogers,
Henry R. D. Coleman,	Norvin Green,	Joseph W. Rowlett,
John W. Cook,	Thomas S. Grundy,	John Shawhan,

Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Richard H. Field,
George W. Kavanaugh,
Daniel Landes,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George W. Silvertooth,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
Marcus L. Williams—34.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
William W. Alexander,
John B. Arnold,
Robert A. Athey,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
Wm. H. Grainger,
William M. Green,
Samuel Hanson,
William Harris,
Lysander Hord,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward,
Edmund Wooldridge—39.

Mr. Desha moved the previous question, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment of Mr. Rodman, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rodman and Leslie, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,
John B. Arnold,
Robert A. Athey,
George P. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Jacob S. Golladay,
William H. Grainger,
William M. Green,
Samuel Hanson,
Wm. Harris,
Lysander Hord,
Samuel A. Kingman,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Thomas Y. Payne,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
Thomas Todd,
William T. Ward,
G. W. Williams, of B,
G. W. Williams, of H.
James T. Woodward—33.

Those who voted in the negative, were

James B. Allen,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Wm. H. Gardner,
Bernard H. Garrett,
Samuel L. Geiger,
Alfred F. Graham,
Norvin Green,
Thomas S. Grundy,
George W. Kavanaugh,
Daniel Landes,
George W. Mansfield,
George H. Morrow,
Benjamin L. Owens,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
William T. Terrill,

Joseph Dougherty, Daniel Matthewson, John Tompson,
Alvin Duvall, Hiram McElroy, Marcus L. Williams,
Richard H. Field, James P. Metcalfe, Edmund Wooldridge—37.
Edgar B. Gaither,

Ordered, that said bill be read a third time.

The rule of the House, constitutional provision, and third reading being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, MARCH 19, 1851.

Mr. A. G. Talbott presented the petition of sundry citizens of Danville, praying an amendment of their charter.

2. Mr. Williams, of Hancock, presented the petition of sundry Insurance Companies of the city of Louisville.

3. Mr. Duvall presented the petition of sundry citizens of Scott county, praying that the Franklin County Court may be permitted to subscribe stock in the Stamping Ground and Frankfort Turnpike Road.

4. Mr. Garrett presented the petition of William McGuire, praying that a survey, made by the Surveyor of Floyd county, may be legalized.

Which were received, the readings dispensed with, and referred—the 1st, 3d, and 4th to the committee on the Judiciary; and the 2d to the committee on Agriculture and Manufactures.

Mr. Gooch moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report to-morrow at 12 o'clock, M., transferring to the Circuit Courts jurisdiction in certain cases in granting corporate privileges.

Which was adopted.

Mr. Riley moved the following resolution, viz:

Resolved, That the Public Printer be instructed to print 4,000 copies of the act to regulate elections, for the use of the members of this House.

Which was adopted.

On motion of Mr. Ritter, leave was given to bring in a bill to amend the law authorizing County Courts to make private passways.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Resolved, That this House concur in the amendment proposed by the Senate, to the second amendment proposed by this House, to a bill from the Senate, entitled, an act to regulate the election laws.

A message was received from the Senate, announcing their concurrence in the report of the committee of conference, on the disagreement between the two Houses on the bill from the Senate, entitled, an act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to revise the Statutes.

An act to amend an act in relation to running and re-marking a part of the county line between Graves and Hickman counties.

An act to amend the charter of the town of Crittenden, in Grant county.

That they had passed bills from this House of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Sardis Turnpike Road Company, approved March 1, 1848.

An act better to define the duties of the Keeper of the Penitentiary.

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Company.

An act to amend an act, entitled, an act to incorporate the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

An act for the benefit of certain Common School Districts in Henderson, Henry, and Monroe counties.

An act to allow John A. Hunt, of Laurel county, to vend goods, wares, and merchandise, without license.

An act for the benefit of Green Adams.

An act for the benefit of the Sheriff of Rockcastle county.

An act regulating the duties of the Clarke County Court, and the appointment of the County Treasurer.

An act to amend the acts incorporating the Paris, Winchester, and Kentucky River Turnpike Road Company, and to authorize a transfer to the same of the Winchester and Kentucky River Turnpike Road Company's effects, &c.

An act for the benefit of the Sheriff of Whitley county.

An act for the benefit of the Mechanics of Muhlenburg county.

An act for the benefit of the Mechanics of Pulaski county.

An act regulating the duties of the Christian County Court in laying the levy.

An act to incorporate the Georgetown and Louisville Railroad Company.

An act to amend an act incorporating the Newtown and Leesburg Turnpike Road Company.

An act to amend an act, approved January 29, 1846, incorporating the town of Hillsboro', in Fleming county.

An act to incorporate the Winchester, Kiddville, and Mountsterling Turnpike Road Company.

An act providing for special terms of the County Courts.

An act to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

An act to change the place of voting from Sulphur Well to James Carter's, in Jessamine county.

An act concerning Justices' and Constables' districts, in Fleming county.

An act granting the right of way and corporate privileges to the Clarksville and Hopkinsville Turnpike Company.

An act to authorize the people of Logan county to tax themselves, to assist in making the Louisville and Nashville Railroad, and for other Internal Improvements.

An act providing for running and marking the line between Knox and Harlan counties.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

An act to incorporate the Mississippi and Nashville Railroad Company.

An act to authorize the county of Mercer and the county of Boyle to subscribe stock in Railroads and other roads within said counties.

An act to incorporate the Newport and Licking Turnpike or Plank Road Company.

An act for the benefit of the Sheriff of Knox county.

An act to reduce into one the several acts concerning peddlers, and fixing the amount of tax to be paid by them.

An act in relation to the revenue.

An act to incorporate the Lexington, Harrodsburg, and Bowllnggreen Railroad Company.

An act for the benefit of A. W. Hamilton and his securities in a bond for public ams.

An act for the benefit of George J. Stockton and his securities in two bonds for public arms.

An act to incorporate the Glasgow and Burksville Turnpike and Plank Road Company.

An act to incorporate the Newport Safety Fund Bank of Kentucky.

An act regulating the terms of the Butler and Edmonson Circuit Courts.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to authorize the several Circuit Courts to change the venue in penal and criminal prosecutions, were taken up, twice read, and concurred in.

Mr. H. R. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following tittles, and had found the same truly enrolled.

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same.

An act to amend the charter of the city of Covington.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Preston, from the committee of conference on the disagreement between the two Houses on the bill from the Senate, entitled, an act to unite into one the Louisville and Sulphur Well Turnpike Road Compa-

ny, and Louisville and Shepherdsville Plank Road Company, made a report, which was concurred in.

The House took up the bill from the Senate, entitled, an act for the payment of the interest of the School Fund, and the veto of the Governor to said bill.

The said veto reads as follows, viz:

To the Senate:

The following bill has been presented for my signature and approval:

An act to provide for the payment of the interest of the School Fund.

Whereas, doubts are entertained in regard to the liability of the sinking fund for the payment of the principal and interest of the school fund. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sinking fund is liable to the payment of the principal and the interest of the common school fund, and the commissioners of the sinking fund are hereby directed to pay, as heretofore, the interest on the school fund, out of any moneys in their hands belonging to said sinking fund, in execution of "an act to provide for the payment and investment of the interest of the bonds of the state of Kentucky, held by the board of education," &c., &c., approved March 1, 1850.

GEO. W. JOHNSTON, *Speaker of the H. R.*
BEN. EDWARDS GREY, *Speaker of the Senate, pro tem.*

Having given to this bill the full and careful consideration which the importance of the subject, and a just respect for the opinion of the general assembly demand, I feel constrained, by a deep and solemn conviction that its provisions are contrary to the constitution of the state, to return it to the senate, in which it originated, with these my objections.

It will be perceived that, by this bill, the general assembly declare, in effect, that the school fund is a *state debt;* and that as such, within the meaning of the 34th section of the 2d article of the constitution, the principal and interest are declared to be a charge on the sinking fund, and that the principal as a debt, is bound, by the express provisions of the constitution, to be paid, sooner or later, in money. From that opinion the executive dissents, and feels constrained, by a sense of duty, to withhold his approval of the bill.

That there should exist differences of opinion, even among the authors of an instrument, the product of many minds, is a natural result which history prepares us to expect. It is a matter of vast importance to a community that the laws by which they are to be governed should, at as early a day as practicable, be clearly settled and well defined. The executive has anxiously desired, from the beginning of this controversy, that it should be settled by the court of the last resort, whose decision would be binding on all, so that the community

might cease to be disturbed by it as a political question, and public policy be made to conform to the law as settled.

Having argued this question in a special message to the general assembly, I will, on the present occasion, state the points upon which the legislature and the executive are at issue; give a few additional facts; reply to some of the suggestions made in response to that message, and lay before the general assembly some additional evidences of the accuracy of my opinions.

It is contended by the executive that the whole resources of the sinking fund are, by the provision of the 34th section of the 2d article of the constitution, set apart as a trust or dedicated fund to be used for the purpose of the payment of the interest and principal of the *state debt*, and for no other purpose; which provision was founded in wisdom, to prevent the necessity of a resort to taxation for the purpose of paying that debt; that by the term *state debt* is meant that sum which is owing to individuals and corporations in whom a vested right attaches, by reason of holding the bonds of the state with covenant to pay at a given day; and that the amount of that debt, including the northern bank bond, is the sum of $4,497,637 81.

The executive arrives at the conclusion that his construction is right, from the fact, (among other considerations,) that the resources so set apart, will, if faithfully applied, accomplish the purpose avowed by the section; or at least accomplish it to a very great extent, and that too without pressure upon the people by taxation.

The executive regrets to learn, from the bill before him, that the general assembly *doubtingly* entertain a different opinion. They assume that the new constitution creates an obligation to pay, sooner or later, the school fund as a *state debt*, settled by the constitution to be $1,276,992 71; which sum, when added to the other debt, makes the aggregate of $5,774,408 82, which the legislature assumes to be the true *debt of the state*, the interest and principal of which is a charge upon the sinking fund. The executive thinks that opinion is erroneous, because the fund set apart is unable to pay even the interest of that amount of debt; that it creates at once the necessity of a resort to taxation to increase the resources of that fund to render it sufficient to pay its interest charges; and necessarily involves the absolute necessity of taxation to pay the whole state debt, whilst it increases the sum to be paid by $1,276,992 71. He thinks there was too much intelligence and sagacity in the convention to have thus increased the burthens of the people without any assignable motive, since the interest alone is all that the constitution allows to be used for the purposes designated. He thinks that the people themselves would never have consented, if the question had been distinctly stated and understood, by a ratification of the constitution, to pay in money *one*

million and a half for the difference between the two forms of government; and he now entertains the opinion that if the legislature were to commence to exact, by taxation, that sum, and the question were put to the people, "will you pay it or adopt the old constitution?" they would fall back upon the old form of government, rather than oppress themselves by the payment of so enormous a sum. He claims for the framers of the constitution more intelligence and virtue than would allow a supposition that they had professedly laid the foundation for extinguishing a large *state debt* by the annual application of the surplus product of a fund not sufficient to pay its annual charges.

The construction given by the legislature to the 34th section necessarily involves the construction of the 36th section—especially the proviso. To that section the executive gives the construction, that in future, no money can be borrowed by the legislature except to provide for casual deficits in the ordinary charges of the government, unless the question be submitted to the people, and be accompanied with a provision for taxation to pay the principal and interest of the sum borrowed; that the proviso, which allows the general assembly to borrow money for the payment of the state debt, was one of necessary precaution, so that in the event the sinking fund should, by the day of payment, fail to pay any part of the debt of the state, which the state was bound to pay or be dishonored, the legislature might borrow the money to pay it.

By the legislative construction, assuming that the school fund is a *state debt*, the unquestioned power is given to the legislature by the proviso to borrow at any time, without consulting the people, the sum of $1,276,992 71. Can he who reasons come to the conclusion that the convention, assembled for the avowed purpose, among others, of preventing the increase of the public debt, did, in the very clause intended for that purpose, confer the express power to create an absolute debt, in lieu of the then nominal debt, (safer n the people's pockets than elsewhere,) to the amount of $1,276,992 71, by borrow ng, with a full knowledge when borrowed, it would be placed in the treasury, subject to legislative disposition?

The difference in the construction of the 34th and 36th sections, necessarily involves a difference in the construction of the 1st section of the 11th article—being the article upon the subject of education.

The executive insists that, by the terms of that section, the school fund is not to be regarded as a *state debt to be paid off*, but that it is a dedicated school fund, to be held sacred, inviolate, and untouched, and now invested in the public honor—each citizen being permitted to keep his own proportion of it in his own pocket, which the executive thinks is the safest place of deposit; that the interest alone (the greater part at five per cent.) is all that is allowed to be drawn from the people;

that, by solemn constitutional injunction, this interest is to be used for common school purposes. The executive entertains the opinion that the sentence in the 11th article, which says "the general assembly shall make provision, by law, for the payment of the interest on said school fund," means precisely what it says, and cannot be complied with in spirit without the creation of a fund equal to the demand. The general assembly think they have satisfied that command when they have expressed the opinion that the constitution made provision by the 34th section. The executive is impressed with the belief that if the school fund is a bonded debt to be paid, that the law of 1845 incorporating the commissioners of the sinking fund, the constitution, and the law of 1850, would be sufficiently binding upon the commissioners. The general assembly think it is necessary that they should direct their execution.

But it is said this will drive us to taxation. Then, to avoid a tax of three cents, at the present, to educate our own children, should we, as the better bargain, assume to pay, in money and by taxation, $1,276,992 71, and in effect perpetuate a tax of five cents? Schools have been to little purpose, if the pupils cannot demonstrate which of the two propositions is the best bargain for the people. To school their own children, is all that is asked to pay the public debt by the executive construction of the constitution. Why get up this pocket quarrel? The people must pay all at last, and the easiest mode of payment is the best for them.

By the legislative construction, the constitution is made to bind the people, as a sealed obligation, to pay this enormous sum, which, including sheriffs' commissions, losses and delinquencies, and fees of each public officer that may handle it, will make the final cost to the people between a million and a half and two millions of dollars. The sheriffs' commissions alone would educate the children of a half dozen counties. The constitution is wholly silent as to what is to be done with this immense sum when paid, while it is exceedingly careful to direct in what manner small amounts and fractions shall be disposed of—proceeding, I suppose, upon the old and trite maxim, "Take care of the farthings, pounds will take care of themselves."

But, if it is paid, the implied power to dispose of it by the legislature, is necessarily involved. Then comes the question. Says one, I am for putting a part of it to complete a certain turnpike road. Says another, that is inconsistent with the progress of the age; it ought to go into railroads. Says another, there is a vast amount of inaccesible wealth locked up in the m.untains; the rivers ought to be improved. Says another, if we take the present bank stock to pay our public debt, and if we are hard run to raise the money, it will be done; there is no other means left for the state to become part owner of a bank in

Kentucky, under the provisions of the new constitution, and the profits and control of banking institutions will be under the entire control of private corporations; so let us take this school fund and bank upon it. Says another, this is a great national bounty; it has been once wasted in the rivers and roads, and if it must be paid, as the constitution proceeds upon the ground that each county is entitled to its fair proportion, justice demands that it should be divided among the counties, where (it will be argued) it is safer in the pockets of those to whom it belongs, than when controlled by irresponsible and heartless corporations. The executive inclines to the belief that the *county pocket* question will be the strongest.

But here, then, comes the question: When you have paid the principal and disposed of it, do you exonerate the state from the constitutional obligation to make provision by law for the payment of the interest? It may be said, we will look to the investment! But suppose it does not produce an amount equal to the interest; then the general assembly must provide the balance. What else will that be, in its practical operation, than the state standing as the security for the corporation or individual to whom she has confided the funds? If so, how is that reconcilable with the 33d section of the 2d article of the constitution, which is in these words: "The credit of this commonwealth shall never be given or loaned in aid of any person, association, municipality, or corporation?"

To pay the school fund in thirteen years, would require a tax of four cents on the hundred dollars, according to the present valuation; and, after being paid as a school fund, the general government may call for the principal, and the people be compelled to pay it a second time, or at least the $850,000.

The people were told that the new constitution had laid the foundation for the payment of the public debt without a resort to taxation; they were told that the state debt could not be increased without their vote at the polls to sanction it; they were told that the school fund was secured from legislative touch or control, and was constitutionalized. By the executive construction of the constitution, all those pledges will be redeemed. By the legislative, all are put to naught and set at defiance.

An effort has been made to convict me of inconsistency in the premises, by the use of a report made by me, as chairman of the committee of the sinking fund, to the senate, in the winter of 1844–5, wherein I admit that the sinking fund is chargeable with the payment of the interest on the school bonds.

Gentlemen need not have pursued their researches so far behind the present time. With half the labor to look into my annual message, and special message delivered on this very subject, they would have

found three admissions of the same fact. Whilst it has been conceded, that prior to the adoption of the new constitution, the sinking fund was created by, and was the creature of law, subject to the public will, it is now contended that the constitution took hold of the subject and gave to it a constitutional and fixed destination; that, finding the resources of that fund inadequate to the payment of interest on the *state debt* and school fund, and anxious to meet the public expectation by making a suitable arrangement for the payment of the public debt, the framers of the constitution, looking into the records of the country to find appropriate names by which to designate the two subjects upon which they were acting, found as the most usual and popular names for *debts due* to individuals and corporations, was that of the *state debt*, and under that name and style, dedicated the resources of the sinking fund to pay the interest and principal of those debts; and in like manner they found and adopted the term "school fund," to designate the several funds which had been devoted to the support of common schools.

That the convention did adopt those names, is perfectly clear from the language of the education clause, when it says: "The fund *called and known as the common school fund.*" By whom called, if it were not by the statutes and public records and documents of the state? By whom known, if not by the people of the state? Nay, it may be said this fund is so known far and wide. By examining the American Almanac, it will be found that, so familiarly known are those names, that they are used in that book, sought for far and wide for statistical information. It was, then, by that appropriate and generally known name, the constitution disposed of that subject; and, knowing the inability of the sinking fund to accomplish more than had been assigned to it, they relieved it from this burthen, and directed that the general assembly should make provision by law for the payment of the interest on that fund. I hope I am now distinctly understood.

If to sustain the schools be the object, it is safer to rely upon the executive construction. If the sinking fund is not able to pay, by the terms of the 34th section, the power to increase is but permissive. The legislature *may* or may not increase. If you rely and insist upon the 11th, or school article, the command is absolute: "The general assembly shall make provision by law," &c. Surely it will not be contended that the word *shall* must be transposed from the 11th article, in aid of the 34th section, and make it mean that the legislature *shall* only make a partial provision; that we must look to something else for the balance.

I was unwilling, in the outset, to avail myself of any report which I had made, but as it has been used by others, I may be permitted to use it in so far as to relieve myself from the supposed dilemma, as ex-

hibited by garbled extracts. The report shows, at the time it was made, an inability in the resources of the sinking fund to meet the interest due to individuals by the sum of $17,283, and an inability to meet that of individuals, and the interest on the education bonds by the sum of $63,833; and that up to that time sums to the amount of $150,254 62, other than the resources of the sinking fund, had been used to cash or square the balances due from that fund. The remedy proposed by that report is in the following words: "An increase "of taxation of one cent on each $100 worth of property would place "the sinking fund in a condition to be perfectly able to meet the in- "terest due to individuals. Three and one half cents would enable it "to meet all its yearly demands, payable to individuals and to the "board of education." The report proceeds in another place thus: "In this condition the moneys arising from the sinking fund will be a "source of continued legislative strife between those whose philanthro- "py has brought their minds to the conclusion that the public honor is "as much at stake in sustaining a system of education, as in paying "the interest due to individuals; and those who believe a system of "common school education a domestic policy, and that the first and "highest obligation is to preserve the public honor, by the payment of "interest due to individuals, who have parted with their money at the "solicitation of the state. Your committee are sensible of the high "obligation imposed upon every community to educate the children of "the country, and would most heartily co-operate in any plan sanction- "ed by the public will. But they regard the education of the children "of the country, by the use of the means of the people, as a domestic "policy, which ought to be pursued and considered with reference to "the burthens imposed on the community. The amount of the *state* "*debt* is fixed and its interest ascertained, and it must be met. The "public honor is a unit, and involves the private honor of every citizen. "It cannot be parcelled between parties. It must be preserved. If "in this condition the community consider the *pledge* to carry on a "system of common school education as sacred and inviolable, and bid "the sinking fund to pay the interest due to the board of educa- "tion, then the means must be provided to pay the interest due to in- "dividuals. On the other hand, if the community believe the public "honor at stake in the payment of interest due to individuals, and de- "termine to preserve it, the means must be provided to prosecute a sys- "tem of education, or it must be regarded as a *popular delusion*."

I feel obliged to gentlemen for making it proper, without a breach of delicacy, for me to present the views of this report, since it so completely vindicates my present position, and relieves me from the unworthy motive attributed to me of a desire to assail the new constitution. I might almost flatter myself that the convention had looked

into the reasoning of that report, and drew upon it when they, to my mind, so completely separated the two funds, with a settled purpose to avoid the present legislative strife. I will announce another fact to gentlemen; that it was at the close of a speech which I made in the senate, demonstrating the inability of the sinking fund to sustain a system of education, that I was asked by a member of the popular branch of the legislature to draft for him a bill to submit the question of taxation to the people for the purpose of sustaining common schools. I did make that draft; and such is the origin of the movement for the two cents tax law as it is called. I voted for it at the polls. I was prompted to pursue the course here indicated because I was impressed with the belief, that to become the champion of common schools in the popular forum, without incurring the responsibility of raising the means, would be to win a name without *consideration*, and acquire fame by fraud.

Thus it will be seen that my willingness to meet taxation for purposes of schools, is awakened by no new-born zeal in the cause of education, nor prompted by the unworthy motive of assailing the constitution.

What is the spectacle before this legislature? Two hundred thousand children are reported to be in the state—one hundred and seventy-eight thousand reported in districts formed. Out of that number, but seventy-three thousand are reported at school. A draft has been drawn upon the treasury for $144,000, and private bills passed swelling the amount to near $150,000. Your treasury is exhausted, and must cry out for relief. Can you go home, and, in truth and fairness, face a confiding constituency, and tell them that this system can be sustained without additional taxation? Let them know the truth, and prepare for the worst, is the dictate of an honest heart. It is my firm conviction, that when the bill shall be drawn upon the people for so glorious a purpose, it will be honored by them. I mean not the slightest disrespect when I express my apprehensions, that there is more timidity among those who seek for popular favor, than among the people themselves, on this question.

I find a speech made by Mr. T. W. Lisle, a member of the convention, in familiar use, as authority against me on this subject. I know Mr. Lisle. He is a gentleman, and above guile or deception, and a man of more than ordinary information and business habits; but he was never engaged in politics until he entered the convention; and it was not an act of kindness to him to refer to his speech without first understanding whether it was accurate in facts, since a simple exhibition of the facts stated will prove their utter fallacy, and his want of information on the subject about which he was speaking. Mr. Lisle said, in his speech: "Sir, the income on the sinking fund will be amply sufficient to pay the *ordinary expenses of the state*—the interest on

our *public debt*—the interest on the *school fund*—and leave a considerable sum to be applied annually to the extinguishment of the principal of the debt, without increase of taxation." Now for the truth of this assertion.

To pay the ordinary expenses of the state, will require one year with another, a sum ranging between three hundred thousand and three hundred and fifty thousand dollars, including ordinary appropriations; but, to make the calculation most favorable, I will adopt the least sum,	$ 300,000 00
To pay the interest on the state debt and contingencies,	262,500 00
To pay the interest on the present amount of school fund,	67,013 00
Aggregate,	$ 629,513 00
The annual income of the sinking fund, one year with another, for the three years preceding, and including the year the convention was held, produced the sum of	315,981 00
Showing a deficiency of	$ 313,532 00

Thus was Mr. Lisle mistaken in the very snug sum of three hundred and thirteen thousand five hundred and thirty-two dollars, per year; and instead of a large surplus to apply to the public debt, that sum would be the deficit. It has been clearly demonstrated to this legislature that the sinking fund is not able to meet the interest on the public debt and school fund, and it would be a waste of time to say more on that subject. The exposure here made of the fallacy of Mr. Lisle's statement, shows that he had not accurately informed himself of what constituted the sinking fund or the charges upon it. Criminal or uninformed, indeed, must be the man who will urge that statement as authority.

But that is not all. I will now turn the only accurate statement in the paragraph to use, against those who used it. Mr. Lisle uses the familiar terms, *state debt*, and *school fund*. If he intended that the school fund should be included in and constitute a part of the state debt, why did he, when he used that phrase, say "and school fund?" Did he use it as identical, or as a different thing? Did he mean the sinking fund would pay the interest on the school fund under the head of state debt, and under the name of the school fund also? Did the same gentleman, who states himself to be the author of the education clause, look to the payment of the school fund as a *state debt*, at the very moment when, by the section he wrote, he says it shall *remain inviolate*?—an expression which, to the common understanding, means a very different thing from payment, when made to apply to a fund. It was Mr. Lisle who used the phrase, "*called and known as the school fund*," which shows he knew the distinguishing names of the two subjects about which he was acting, though very inaccurate as to his figures.

In my special message, I said no money had been paid by the sinking fund for *common school purposes*, until that paid by Governor Crittenden, under the law of 1850. In using the term common school

purposes, I employed the language of the constitution, which I understand to mean the use of money to pay the price of tuition. To convict me of an error, an array of official documents are produced, beginning with 1839–40, and running up to 1843, showing payments to that time, made by the commissioners of the sinking fund to the board of education, amounting to near, if not quite, $100,000. But the distinguished author of this grand discovery, in a spirit true to himself, and finding in the history of this affair much to condemn and nothing worthy of praise, in almost the succeeding paragraph, makes the legislature, in a sharp manner, inquire of the superintendent why no money had been paid for common schools—to which the superintendent is made to reply: "Why, for the simplest possible reason, there is no money." I might leave this statement unexplained, to recoil upon the head of its author; but it is my purpose to impart the truth as I understand it. The fact is, the government wanted the money, and by law, bonds were given for it, in part, and the largest part was employed in the purchase of the spurious stock in the Bank of Kentucky, issued by Levis; which stock the state afterwards, by the consent of the bank, recognized and made good. From the proceeds of that stock, and some small appropriations from the ordinary revenue, were the schools in operation mainly supplied, until the passage of the two cents tax law. I think I can safely say, from the passage of the law in 1845, incorporating the commissioners of the sinking fund, no payment was made by the commissioners, until that paid by Governor Crittenden, under the provisions of the act of 1850. In the year of 1849, by a statute of that year, a bond was executed for arrears of interest to the amount of $308,268 42.

But, as part of the tirade poured out upon the public functionaries, and representatives of the fathers of the children, it is stated by those who claim to be the exclusive friends of the poor children, that there was no *positive law*, until that of 1850, directing the payment by the commissioners. If there was no law, then, all payments made were unauthorized. First, the commissioners are censured for not paying, and, in the next breath, we are told there was no *positive law* to authorize it.

The act before me purports to be an act to provide for the payment of the interest on the school fund. By the term *provision*, or *provide*, in the sense used, it must be understood that something is or will be furnished or supplied, with a view to satisfy an existing demand, or to accomplish a contemplated purpose.

If I understand this act, there is nothing furnished by its provisions, except the doubting opinion of the legislature that the sinking fund is liable to the payment of the principal and interest of the school fund. To make provision for common schools by the expres-

sion of such an opinion, cannot fail in its practical operations to prove to be a very scant provision. But the conclusion of that opinion is to the effect that provision had already been made for the payment of the interest on the school fund, by the 34th section of the 2d article of the constitution. Well, it may, without doing violence to the ordinary rules of construction, and the law of presumption, be fairly presumed, that the framers of the constitution did not know that they had made such provision, or they would not have directed the legislature to make such provision by law. But so stands the case: the constitution, by the 1st section of the 11th article, directs the general assembly to make provision by law for the payment of the interest on the school fund. The legislature complies with that requisition, by providing an opinion, (about the correctness of which opinion *doubts are entertained*,) that the sinking fund is liable to pay the interest. The title of the bill professes its object is to make provision for the payment of interest, &c. Does the body of the bill conform to the title, when it expresses an opinion that both *principal* and interest is chargeable, &c., and directs the commissioners of the sinking fund to pay as heretofore, under the provisions of an existing law, passed in 1850? Can this act, as it is called, be considered in any other light than a legislative exposition of the constitution and existing laws; and in that regard it assumes the exercise of a judicial power. But in another aspect it assumes the character of a legislative mandate, commanding the ministerial officers to execute an existing law, and thus exercises an executive prerogative. It does not, as is the province of the law making power, prescribe duties to be performed by the ministerial officers, but at once proceeds to declare what the law is, and directs its execution. I protest against this extraordinary exercise of illegitimate power. The constitution says it shall be the duty of the executive to see that the laws are faithfully executed.

But in this investigation names, and the mode of describing things, become important; and it becomes, or may become, a matter of much moment with the commissioners that their duties shall be well and certainly defined. In that view it may be well to enquire whether the legislative opinion, by the use of terms or names, does not conflict with, or direct the performance of duties irreconcilable with the provisons of the act which it endorses.

The commissioners are directed to pay, out of any money in their hands belonging to the sinking fund, the interest on the *school fund*, in execution of the law of 1850, *as heretofore*. The act of 1850 directs that the interest shall be paid on the *bonds* then held, or which might thereafter be held by the board of education, out of any moneys that might remain after the payment of interest due to those holding bonds other than the board of education. The payment heretofore

made by Governor Crittenden, or the commissioners under his administration, was full pay of an installment. Are the subsequent payments to be full payments and unconditional, or conditional or partial according to the state of the funds? But there may exist a wide difference in the amount to be paid, when tested by the letter of the two laws. By the term school fund is meant that fund to which reference is made in the constitution, amounting to $1,276,992 71; to which may be added $73,000 of bank stock. Is the bank to be relieved of that burthen, and that too cast upon the sinking fund? But there may exist a wide difference in law between the amount of interest on the school fund and that on the bonds of the state held by the board of education.

By this suggestion we are brought to the enquiry, what amount of the *bonds of the state* are held by the board of education? What is a bond in law, or in the legal sense of the term? It is thus defined: "In law, an obligation or deed by which a person binds himself, his heirs, executors, and administrators, to pay a certain sum on or before a future day." The gist of the matter, as regards the state, would be that the holder was possessed of a writing, executed by the proper authority, whereby the state was bound to pay a certain sum. Has the superintendent such a paper? If so, to what amount and under what terms executed?

It must be conceded by all right minded men that the state had the perfect right to absolve herself from the payment of principal and interest, or of either, of the bonds executed to the board of education. By the act of 1844–5, the state directed those bonds to be canceled, by burning. The cancelment of a bond exonerates the obligor from its payment. Those bonds, six in number, amounting in the aggregate to $917,500, were canceled by burning. But the law directing it to be done says *lists* shall be made by the officers, describing them by dates and amounts; and that paper, by law, is called *lists of bonds*. The act says nothing therein or thereby shall exonerate the state from the payment of the interest, clearly inferring that by the act done the principal was canceled, leaving the matter where it stood by all the statutes, contemplating the payment of interest only, and putting to rest the payment of principal, in any possible contingency. I now here furnish you with the list of one of those bonds, and contend that to the amount of $917,500 the superintendent holds no other paper.

"UNITED STATES OF AMERICA,
STATE OF KENTUCKY,
Frankfort, 5th Aug., 1845.

In accordance with an act of Assembly, entitled, "An act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons," approved 10th February, 1845, the Board of Education surrendered to the Governor the following State bonds held by them, viz:

DESCRIPTION OF BOND AND COUPONS.	AMOUNT OF BOND AND COUPONS.
Bond No. 1, for $24,000, dated 9th day of August, 1840, bearing an interest of 6 per cent. per annum from the first Monday of July, 1840, payable semi-annually, on the first Mondays of January and July of each year, at the Merchants' Bank in the City of New York, and the said bond made payable at the said Merchants' Bank, in the City of New York, thirty years from the said first Monday of July, 1840. Said bond signed by the Lieut. and Acting Governor, C. A. WICKLIFFE. J. M BULLOCK, *Sec'y State.*	$24,000 00

[*Here follows the Coupons.*]

Which bonds, and coupons attached thereto, were burnt by the Governor in our presence, and in pursuance of the act aforesaid. This list is prepared, and a copy thereof is to be delivered to the Board of Education, with the understanding that the same is never to be passed, by delivery, transfer or assignment, by said Board, to any person or corporation.

Given under our hands the date above written.

WM. OWSLEY,
THO. S. PAGE, *2d Auditor.*
JAMES DAVIDSON, *Tr.*"

A true extract. Att:

THO. S. PAGE, *2d Auditor.*

Is there any thing in this paper which binds the state to pay any sum? It is no more than a memorandum of the contents of that paper, which once contained a covenant to pay, and which, if passed to an innocent stranger, would have been a debt in fact; but which had that day been destroyed, to guard against that contingency. This paper, by the act authorizing its execution, is called *lists of bonds*—not bonds in fact, but the representative of a once existing bond or bonds. If there is any thing which binds the state, it is in the face of the statute—not the paper—and that may be repealed. If the paper itself is no bond, where are the commissioners to look for the indebtedness of the state, but to the record which contains a list of the debts which the states owes? That record shows the education bonds cancelled.

The superintendent has one paper, executed by authority of law, called a bond for $308,268 42, and one for $101,001 59. The latter occupies a most singular position. It includes the $51,223 29 spoken of by the constitution, and directed to be invested—which direction was, of course, given to the legislature succeeding the adoption of the constitution. It also includes all the interest on the education fund, from the adoption of the constitution in June, until the 30th of December, 1850; and to that extent, in the opinion of the executive, it includes that sum, for the payment of which the constitution directs provision to be made by law, and which should be distributed among the counties. This bond was executed in July, after the adoption of the constitution; and, if it is a debt to be paid, the constitution prohibited its execution. Here are the difficulties created by the use of different terms in the two enactments.

But I may be asked, where is the evidence of this national bounty? I answer, in the face and fold of the constitution, and there to remain

as long as the form of the government lasts—where it cannot be burnt—cannot be wasted by profligate legislation—each man the keeper of his own due proportion, but bound by a solemn constitutional requisition to contribute his proportion of the interest for the education of the children. How could it be made more safe and enduring?

But it is contended that the board of education was an incorporated body, and, as such, received a vested right in those bonds, which could neither be abrogated, cancelled, or taken away by the legislature, or even by the convention.

The idea that the receiving of corporate powers by the officers of the government, to be used as part of the machinery of the government, and for the sake of its convenience, and intrusting them with the use and care of government funds, invests the right to those funds in such officers, and that they are placed above the legislative will, involves such an amount of legal folly, that a proper respect for the members of the general assembly will not allow me to suppose that it could be imposed upon them. But if the principle were a correct one—and such a legal assumption ought only to be used against one who had the temerity to advance it—it might be contended that the commissioners of the sinking fund were an incorporated body, and all the resources of that fund placed under their control, to pay the interest, &c., on the *bonds of the state then outstanding.* That law passed one year after the education *bonds* were burnt; and if the legislature have no power to control corporations created by its authority, for the benefit of the state, what right had the law of 1850 to interfere with the financial arrangements of the commissioners? But, as appears from the memorandum, the board of education surrendered the bonds to be burnt, and thereby waived their corporate right to the principal.

Among the most remarkable legislative curiosities attending the bill under consi deration is, that it begins with a "*whereas, doubts exist.*" That doubt must, as a necessary consequence, be made to apply to the constitutionality of the measure; and then proceeds with a *wherefore*, which expression must be understood to mean because of the existence of those doubts, *we pass this enactment.* Who doubted on the subject? Certainly not the executive; and the executive feels assured that it was gratuitous to assume that the commissioners of the sinking fund doubted. Certainly it had not been communicated to the legislature that the judiciary doubted, and hence the necessity of a legislative opinion to remove their doubts. Then it was the legislature who doubted, and doubting took the precaution to express those doubts on the face of the act. I am somewhat curious to know whether there can be found a precedent for the passage of a bill expressing on its own face doubts as to its constitutionality. And it has so happened that those who claim to be strict constructionists have for the

time being, for a *pro tem.* purpose, so far relaxed the rigid rules by which they are accustomed to be governed in constitutional construction, as to vote for a bill expressing on its face doubts as to its constitutionality. I have heard it rumored that the executive asked the opinion of the legislature. Nothing can be more erroneous. Examine page thirteen of the annual message, and it will there be seen to what subject the attention of the legislature was called.

How is this law to be executed. The commissioners must occupy the position of trustees, bailees, or fiduciaries, and must, as matter of law, be amenable in some way for their faithful execution of the trust, according to law. Their liability may turn upon wilful negligence, or want of prudent care. An act which violates the constitution is no law, and a payment made under such act would be as though no such act had passed. Is the executive then to see that this law be faithfully executed, by calling the attention of these fiduciaries to the fact that the authors of the act doubted its constitutionality; and that the executive does not entertain a doubt that it is unconstitutional, and that they must pay at their own hazard. With what grace would such a bill make its appearance before the judiciary!

I feel constrained to take a brief view of the history of the passage of this bill in its various stages, to establish the fact that the doubts entertained were with the legislature. The bill at one time contained an affirmance that the law of 1850 was constitutional. That was stricken out by the senate.

In its origin, the title was, "An act to provide for the payment of the principal and interest of the school fund." The word *principal* was stricken out of the title and retained in the body of the bill, and thus it passed the senate. In the house, the term *principal* was stricken out of the body of the bill by a large vote; and so it was decided that the executive was right on *principal*, but wrong on *interest*. To that amendment the senate would not agree, and the house receded—the vote against the bill in that form being doubled. But the most remarkable fact attending this disagreement between the two houses is, that, on its return to the senate, Mr. Pope offered the following proviso:

"*Provided, however*, That the general assembly regards the sinking fund as liable for the principal and interest of the common school fund."

This proviso was unanimously rejected by the senate. Thus that body stood committed against the payment of either principal or interest. The senate is certainly well fortified; for that body gave a pretty full vote on both sides of the question.

Can a better example be furnished, to show how it is that a body may give a negative vote which does not reflect the true opinion of the body, when at the moment it was their opinion that the same thing

had been attained, or it was their settled purpose to attain it in a different form? Just such a vote was given on Mr. Kavanaugh's proposition in the convention. From the above history, it is manifest that the bill states the fact that doubts did exist, and as the legislature states it as an existing fact, it is very clear that they had the best right to know it was with them the doubts existed.

Well, if one hundred and thirty-eight legislators doubt, the executive, if for nothing else than a respect to their well-founded doubts, should withhold his signature and approval. It does appear to the executive, with all possible deference to the legislature, that if they do doubt upon a measure of such immense importance, involving no less than a defeat of the payment of four millions and a half of debt, and assuming a principle which will increase the burthen of the people one million and a half more, they ought not to act.

The commissioners of the sinking fund concur with the executive in opinion; but I felt that it was due to the relations which existed between them and myself, to furnish them with the best legal advice which could be procured—willing myself, if sufficient reasons could be given to convince my judgment, to yield to the opinions of those not so far committed, and frankly retrace my steps. I embody, as part of this message, the opinions of several gentlemen, eminent for their legal and constitutional learning; which have been furnished, at my suggestion, for the consideration of the commissioners of the sinking fund. It will be seen that they directly and strongly fortify the opinion of the executive. I am induced to embody these opinions here, with a view to furnish you with all the light I have upon the subject. I hope you will not consider it any disrespect to you, or wanting in respect to myself. May I not once more ask you calmly to review this subject. I am aware of your generous sympaties for the poor children of the country; but among the noblest lessons which should be taught them is to respect the constitution of their country.

I am aware that many supposed the whole school fund was depending upon the issue of this question. That was a false impression. There was in the treasury near $100,000 subject to the draft of the superintendent, not at all involved in this question; and now the whole sum which the superintendent had a right to draw for has been paid. It is an exercise of one of the highest attributes of our nature to retract when we find ourselves in an error. The schools will not suffer this year; then let a season for reflection pass before you finally commit yourselves on a subject involving such vast interests. If you choose to refer this matter to the judiciary, the executive tenders his readiness to aid in any scheme of finance to relieve the legislature of difficulty or responsibility.

The opinion of Mr. GUTHRIE, President of the Convention.

TO HIS EXCELLENCY, JOHN L. HELM:

DEAR SIR: At the instance of a friend who called my attention to the subject of the state debt and the school fund, under the constitution, and before the receipt of your letter, I gave the enclosed opinion:

The second article of the constitution, section 34, declares: "The general assembly shall have no power to pass laws to diminish the resources of the sinking fund as now established by law, but may pass laws to increase it; and the whole resources of said fund shall be sacredly set apart to the payment of the interest and principal of the state debt, and to no other use or purpose until the whole debt of the state is fully paid and satisfied."

The sinking fund had been raised by various laws of the legislature, for the payment of the interest and principal of the state debt, but was subject to legislation, and might be increased or diminished, or diverted to other purposes. The convention seized upon it as it then existed, and devoted it to the payment of the state debt.

The first section of the eleventh article enumerates the fund known as the common school fund, and declares it shall be held inviolate for the purpose of sustaining a system of common schools, and the interest and dividends of said fund might be appropriated in aid of common schools, and for no other purpose; and further declares, the legislature shall make provision by law for the payment of the interest of said fund.

The convention treated the state debt as one thing and the school fund as another, and for the payment of the interest and principal of the state debt, seized upon the sinking fund, and provided against the legislature lessening its resources until interest and principal were paid, and gave the school fund a constitutional sanction, and made it the duty of the legislature to provide for the payment of the interest of it.

The school fund, under the constitution, is no part of the state debt, and never was intended to be a charge upon the sinking fund; and the constitution makes it the duty of the legislature to provide for the payment of interest on the school fund. The convention would not have made double provision for payment of the interest on the school fund—first, out of the proceeds of the sinking fund as part of the state debt, and then made it the duty of the legislature to provide for it otherwise.

The question is clear of doubt or difficulty upon the face of the constitution. The legislature must provide for the interest of the school fund by taxation, and the sinking fund must remain devoted to the payment of interest and principal of the state debt.

I know it was not my intention, as one of the framers of the constitution, to have that part of the fund which the state held, paid out of the sinking fund or otherwise; and I do not think the constitution will bear such a construction. The surplus interest then on hand, and what should thereafter arise, was directed to be invested; and there is no direction to invest the twelve hundred and odd thousand dollars, which would have been directed if it had been the intention of the convention that it should be paid. That sum was the $800,000 deposited with Kentucky by the government of the United States, and its interest, which it was never expected the government of the United States would call for; and, although pledged to educational purposes, it had been used for internal improvement purposes, and was not a state debt, in the technical sense of the term; because neither a state, corporation, or individual, can be both debtor and creditor as to the same sum; and it was not treated as a debt by the convention. The constitutional recognition of that sum as part of the school fund, was the only investment intended; and the direction that the legislature should provide for the payment of the interest it was deemed had made the capital of the fund productive. The state debt and interest, under the 34th section of the 2d article, was provided out of the resources of the sinking fund, and the legislature was prohibited from applying those resources to any other object until debt and interest was paid. The payment of the interest of the school fund out of the resources of the sinking fund is, to my mind, a palpable violation of the constitution.

Respectfully, JAMES GUTHRIE.

The Hon. BEN. HARDIN, member of the convention, and chairman of the committee on the state debt, in a letter to one of the commissioners of the sinking fund, says: "I have read the Governor's special message, and fully endorse every position in it."

Mr. BRADLEY, the author of the 34th section, and now a member of the legislature, in his place, made a speech against the bill under consideration, and strenuously insisted upon the executive construction as being the true construction, and will effect the purposes contemplated by him.

Mr. KAVANAUGH, another member of the convention, and now a member of the legislature, stated in his place, that he was present when the 34th section was drawn, and knew the purposes contemplated by the mover, and felt warranted in saying that the construction of the executive was such as contemplated by the mover.

Opinion of J. W. STEVENSON, ESQ.:

COVINGTON, 20th February, 1851.

HIS EXCELLENCY, JOHN L. HELM:

MY DEAR SIR: As a member of the convention, I did not suppose that the public debt, as used, included the school debt. I was well satisfied that in the contemplation of those members of the convention who were most anxious that the public debt should be paid, and who were prominent in urging upon the convention the means and mode of doing it, and the necessity of providing for its certain extinction within a certain time, never contemplated that the term public debt, as used by them, should include the school debt.

I greatly doubt whether fifteen men in the convention contemplated a payment by the state of the principal of the school debt within a certain time.

It may not be improbable that different members of the convention entertained different views of the binding effect of the proposed clauses of the constitution, at the time they were adopted. I can only give you my opinion and understanding.

As to the effect of the constitutional provision, as adopted, upon the sinking fund commissioners in their duty, and what will be the judicial exposition of those provisions, is a nice and important question, and one upon which I could give no opinion, without that careful examination which I am prevented from giving to the subject at this time. I am inclined to believe you are right.

I have myself been always in favor of the school system. I look upon it as one of the surest bulwarks of free government. I have felt the deepest solicitude for its success; still I cannot pursuade myself that a majority of the convention intended to bind the state to pay the principal of the school fund in a certain time, and to make the sinking fund equally as liable for its extinction as it was for the public debt.

I may be in error; if so, it is an honest one, and against a system whose success I have greatly at heart. Still my opinion is honestly and frankly given of what I thought at the time, and in which I am constrained to believe a majority of the convention agreed with me. I can give good reasons for entertaining it.

In great haste, very cordially your friend,

J. W. STEVENSON.

Opinion of JAMES HARLAN, Attorney General:

ATTORNEY GENERAL'S OFFICE,
March 1, 1851.

TO THE GOVERNOR:

I had the honor to receive, some time since, your note requesting my opinion, whether, according to the provisions of the constitution, the "common school fund" should be regarded as a part of "the debt of the state," for the payment of the interest and principal of which the resources of the sinking fund are pledged.

The great importance of the question, and the diversity of opinion which exists amongst gentlemen of acknowledged abilities, required that the subject should receive careful examination and deliberate consideration.

The result of my examination of the question is, that the school fund is not, according to my understanding of the constitution, a part of the debt of the state chargeable on the sinking fund.

I deem it unnecessary to present to you all the reasons which have led my mind to that conclusion. It may be proper, however, to advert very briefly to some of them.

The general assembly is prohibited, by the 34th section of the 2d article of the constitution, from passing laws to reduce the resources of the sinking fund as they existed at the adoption of the constitution; "and the whole resources of said fund, from year to year, shall be sacredly set apart and applied to the payment of the *interest* and *principal* of the state debt, and to no other use or purpose, *until the whole debt of the state is fully paid and satisfied.*"

By the 1st section of the 11th article, the capital of the fund *called and known* as the "COMMON SCHOOL FUND," *shall be held inviolate*, for the purpose of sustaining a system of common schools. One of the items composing that fund is an unexpended balance for the year 1848, amounting to $51,223 29. The section then reads: "The *interest* and *dividends* of said funds, together with any sum which "may be produced for that purpose, by taxation or otherwise, may be appropriated "in aid of common schools, but for no other purpose. The general assembly shall "*invest* said $51,223 29 in some safe and profitable manner; and any portion of "the *interest* and *dividends* of said school fund, or other money or property raised "for school purposes, which may not be needed in sustaining common schools, "shall be invested in like manner. *The general assembly shall make provision by "law for the payment of the interest of said school fund.*"

I understand the meaning of this section to be—*first*, to preserve *inviolate* the capital of the school fund—*second*, prohibiting the appropriation of the *interest* or *dividends* to any purpose other than the benefit of common schools—*third*, authorizing and directing the investment of the unexpended balance of 1848, and any surplus that might hereafter arise, in some safe and profitable manner, but not giving any power to *invest* the capital or *principal* of the fund—*fourth*, making it imperative on the general assembly to provide by law for the payment of the interest on the capital of said fund.

I am satisfied the framers of the constitution did not intend to be understood that the principal of the school fund should be paid at the maturity of the bonds held by the board of education, and the amount *invested* in stocks, or in any other manner—first, because there is no authority given by the constitution to make such an investment—secondly, because the general assembly are bound to make provision by law for the payment of the *interest*, without restriction or limitation as to time. A different construction would involve the absurdity of requiring the levying and collection of a tax to pay the principal, and after that is done, to tax the property of the citizens for all time to come to pay the interest—that is to say, to continue the payment of interest on a demand after the principal had been discharged.

The 34th section to which I have referred, provides that the resources of the sinking fund, "*as now established by law,*" shall not be *diminished* until the whole of the debt of the state shall be paid. These resources consist, in part, of a certain portion of the taxes annually levied and collected from the citizens. If, as some contend, the school fund is a part of the state debt referred to in this section, and if, as I have attempted to show, the principal is never to be paid, the resources of the sinking fund can never be diminished—not even after the payment of the whole demands against the state, except the school fund.

If the payment of the interest on the school fund was intended by the framers of the constitution to be a charge on the sinking fund, there was no necessity for inserting in the 1st section of the 11th article, that "the general assembly *shall make provision by law* for the payment of the interest of said school fund."

I am therefore of the opinion—*First.* That the "common school fund" is not *a debt* against the state, within the meaning of the constitution. *Second.* That no part of the resources of the sinking fund can be applied to the payment of either interest or principal of the school fund; and *third,* that the general assembly should make provision by law for the payment of the interest on the school fund.

I have the honor to be, very respectfully, your obedient servant.

J. HARLAN, *Attorney General.*

Opinion of Judge ROBERTSON:

LEXINGTON, 14th FEBRUARY, 1851.

SIR: Having, with proper concern, considered your written communication requesting my opinion on the constitutional question concerning which the legislative and executive departments of Kentucky seem to occupy conflicting positions, I have concluded that I cannot withhold a compliance with your request consistently with either personal courtesy to yourself or my duties to your official station.

The question, as I understand it, is simply this: will the lately adopted constitution of Kentucky *allow* the application now, or for some years to come, of any portion of the "*sinking fund*" to the use of the "*school fund?*"

The sinking fund—established long before the dedication of the school fund—consists of certain portions of annual revenue, set apart and pledged for the prompt payment of the accruing interest, and ultimate redemption of the principal of the "*state debt.*"

A brief history of the school fund will help to show how far, or whether at all, it is, in the legal sense, such a "state debt."

Congress having, in the year 1836, passed an act for distributing among the states, according to the ratio of population, a portion of the proceeds of the sales of the public lands, which had been perseveringly claimed by many of them as their right—the share of Kentucky amounted to $1,433,757 39. That fund came into the treasury of Kentucky without any other incumbrance on its use or destination than a lien for securing restitution, in the event of reclamation by the general government.

By the 9th section of an act of February 23d, 1837, the legislature of Kentucky provided, "that the *profits* arising from one million of dollars of the revenue of the United States, *deposited* and *to be deposited* with this state, by virtue of the act of congress of the 11th June, 1836, be and is hereby set apart and forever dedicated to founding and sustaining a general system of public instruction in this state." The 10th section of the same act provided, also, "that until such system shall have been devised by law, the said profits shall be placed under the direction and control of the commissioners of the sinking fund, who are hereby required to discriminate the same from the other ingredients of said

"fund, with a view to the abstraction thereof, together with the accumulations "*therefrom*, as soon as the same shall be required under said contemplated sys- "tem." By the 7th section of the same act, the commissioners of the sinking fund were directed, on a contingency which afterwards occurred, to receive and invest, in "profitable stocks," the whole amount of Kentucky's distributive share of $1,433,757 39. As the governor of Kentucky had legislative authority to raise money by the sale of "state bonds, or scrip," the commissioners of the sinking fund, during the year 1837, transferred to the treasury of the state the said sum of $1,433,757 39, and took, in exchange, state bonds for an equal amount, bearing an interest of 5 per cent., payable semi-annually; and the money was of course used by the commonwealth, in the payment of her debts.

An act of February 16th, 1838, organized a system of common schools, and the 1st section of the act provided, "that the *interest upon eight hundred and fifty* "*thousand dollars* of the fund set apart by the commissioners of the sinking fund, "under the provisions of an act approved February 23d, 1837, and all moneys "and other property hereafter provided for, or which may hereafter be appropri- "ated to the use of common schools, shall be and the same is hereby constituted "a common school fund for the state of Kentucky."

By an act of February 10th, 1845, the legislature directed the destruction, by burning, of those bonds which were held by the board of education, and the substitution of "duplicate lists" of them with their coupons, to be made out and recorded in the offices of the 2d auditor and the secretary of state, declaring that said lists should *not be transferable*, and that the burning of the bonds should not, "in any wise, release the state from the obligation it is now under to pay the *interest* on the school fund."

On the 29th February, 1848, there being then unpaid $294,000 of interest claimed by the board of education, the legislature passed an act directing the governor to issue a state bond to the board for that sum, "payable," "*at the pleasure of the legislature*," *non-assignable*, and bearing an interest of 5 per cent., "payable half-yearly, on the 1st of January and 1st of July."

By an act of 26th February, 1849, a tax of two cents *ad valorem* was imposed for augmenting the school fund, and the net proceeds of tolls on slackwater navigation were also "dedicated as an additional fund for common schools."

These successive acts of legislation show, indisputably, 1st. That no portion of the principal sum derived from the United States was dedicated to education, or, in any way pledged to the maintenance of common schools. 2d. That the whole of it remained, as it was received, the property of the commonwealth, subject to her absolute use and control, just as any other money in her treasury, and under no pledge except that of restoration to the government of the Union, if ever, and whenever, demanded. 3d. That, by using the money, Kentucky used only her own, and consequently incurred no debt, even to herself. 4th. That the scrip given as an effigy of that fund, was intended only as evidence of the disposition which had been made of the money, and as a memorial of the amount of interest appropriated to common schools. 5th. That, in burning that scrip, Kentucky was guilty of no act of "robbery," or even infidelity or injustice, but acted with a commendable prudence for preventing the sale and perversion of bonds, the principal of which was never to be paid, and to the possession of which the board of education had no shadow of right, except so far as they might have served as proof of the amount of interest dedicated to common schools, and when it was demandable; and, for all which latter and only legitimate purpose, the recorded "duplicate lists" were even more useful than the bonds, because they were not only equally explicit, but more permanent and less destructible. Nor do those enactments, or any of them, show that the legislature, by any dedication, even of interest, to the cause of popular education, intended to make any contract or create any *debt*, or ever contemplated more than to declare a purpose to patronize

that great cause, by organizing a system of common schools and helping to promote its success by periodical advances of prescribed means; and, in that way, endeavor to advance the "general welfare" of the commonwealth, as it might have done in other and analagous cases—such as dedications of funds to internal improvement by slackwater navigation and state roads. And, in respect to all of which ends, and each equally, the policy might be changed, the pledge revoked, and the plighted fund withheld, or diverted, without the imputation of a breach of contract or repudiation of a "debt."

This interpretation of the true character and effect of the entire legislation as to the interest of the school fund, is fortified, rather than weakened, by the fact that the act of 1848, directing the execution of a bond for unpaid interest, prescribes that it shall neither be assignable nor payable otherwise than "at the *pleasure of the legislature;*" which implies that the bond shall not impose on the commonwealth the burthen of a debt which could become due and demandable against the legislative will or pleasure, and therefore an assignment of it is not permitted. It is also fortified by the concurrent facts—1st. That an act of March 1, 1850, drawn by the superintendent of public instruction, directs the sinking fund to pay, from time to time, only so much of the semi-annual interest of the school fund as the commissioners shall have the means of paying, "after the semi-annual interest on the bonds of the state of Kentucky now outstanding, *other* than bonds to the board of education, *shall have been paid;*" implying that each class of claims is not a debt, or equally a debt, or a debt in the same sense; and, 2d, that the same act, in providing for the execution of a bond for interest unpaid on the 1st January, 1850, declares that the bond shall neither be assignable nor payable, otherwise than "at the pleasure of the legislature."

It appears, also, that Governor Clarke—who was privy to the investment in 1837—and every successive executive magistrate, including Governor Crittenden, in officially communicating the state of the public debt, invariably *excluded* the entire school fund, on the two-fold ground that no portion of the money deposited by the United States, in Kentucky, belonged to that fund, and that even the dedicated interest was payable, or not, as the legislative wisdom might determine; and if it could be deemed a debt, is a debt to the commonwealth herself; and each successive and cotemporaneous legislature has seemed tacitly to concur or acquiesce in this executive construction of the relation of the state to the school fund, and the extent and character of that fund.

In this state of case, and under these circumstances, the convention for reforming the fundamental law of Kentucky assembled in the autum of the year 1849, and proposed, for ratification by the popular vote, a new constitution, containing two, and only two, provisions bearing on the question we are considering, and neither of which has been modified, or in any respect altered, since the ratifying vote adopting the existing constitution. The first is section 34, article 2, prohibiting any legislative act for diminishing the resources of the sinking fund, "until the *debt* of the state be paid," and *consecrating* the *whole* of the resources of that fund "to the payment of the interest and principal of the *state debt*, and to *no other* "*use or purpose* until the *whole debt of the state is fully paid* and satisfied. The second is the 11th article, "concerning education," declaring that the school fund, as then existing, and as it might be increased "by taxation or otherwise," "shall be held inviolate for the purpose of sustaining a system of common schools, but for no other purpose," and ordaining that "the legislature *shall* make provision, *by law*, for the payment of the interest of said school fund." Looking at these two clauses of the constitution alone, without resorting to the aid of extraneous considerations, and considering, as all should do, the subject matter and the object inferable from the context, my interpretation, from the whole, is, that the 34th section of the 2d article applies to, and provides exclusively for the "state debt" raising from *contract*, which will become due at *fixed periods*, from which no legis-

lative act could absolve the commonwealth, and the failure or refusal to pay which punctually would degrade our national credit; and that the 11th article, and that alone, applies to the school fund, and contemplates the payment only of interest, and *legislative provision* as the sole means of payment. A few general reasons only will be suggested for this conclusion.

1. A debt, in the technical and available sense, arises from contract, express or implied, on a binding consideration, and imposes on the debtor, if that debtor be a person, a legal, or if a sovereign, a political obligation to pay, and entitles the creditor to a legal or political right to demand and enforce payment. For dedicating the school fund, Kentucky received no consideration except the satisfaction and advantage of promoting, as far as that act might promote, her own welfare. Nor was the dedication itself a contract; it only set apart the interest on a designated sum, and declared that it should be gratuitously devoted to the cause of popular education. That enactment might have been repealed, and the destination of the dedicated fund might have been changed, without impairing the obligation of any contract. The bonds afterwards given to the board of education for unpaid interest, being made payable at the pleasure of the state, in its legislative capacity, were not intended, as we may infer from their peculiar tenor, to change the pre-existing liability of the state, and should not, therefore, be construed as having any such effect. For these reasons, as well as others previously intimated, no portion of the school fund should be considered as being, in law or in fact, a proper and effectual state debt. It is a gift rather—a bounty of the character of a *legacy*.

2. Connecting the foregoing considerations with the fact that the executive and legislative departments had both seemed to consider "the school fund" as no part of the "state debt," it would be unreasonable to assume that the convention contemplated any portion of that fund as a "debt of the state," for securing, beyond question or contingency, the prompt payment of the whole of which, the members manifested so much anxiety, and provided such inviolable and extraordinary means.

3. The provision for "the payment of the *principal and interest* of the state debt," imports that the debt contemplated consisted of principal and interest, or was not a debt for interest alone. But the capital of the school fund, so far as it relates to the state, is all interest. The state has never engaged to pay any portion of the $850,000, the interest on which amount was dedicated to common schools; and it would be absurd to suppose that the convention intended to tax the people to pay into the treasury, as "a state debt," $850,000, which, when collected, would be the money of the state, and so remain until appropriated by act of assembly, and expended. On the contrary, the 11th article of the constitution declares that the entire capital of the school fund "shall be held inviolate."

4. *As the 34th section of the 2d article forbids any legislative act for mitigating the taxes which supply the sinking fund, until the whole state debt*—principal and interest—shall have been "fully paid and satisfied"—*the taxation for the sinking fund, however superfluous it might, in time, become, must be fastened, like an incubus, on the bosom of the commonwealth, as long as the constitution shall remain unchanged, if any portion of the school fund be deemed a state debt, required to be paid by that fund; because the dedicated interest will accrue, from year to year, as long as common schools exist; this would, unjustly, stultify the convention, oppress the people, and finally render common schools odious.*

5. The controlling object of the convention may, most reasonably, be presumed to have been the preservation of the credit of the state, and the exoneration of the people, as soon as possible consistently with their convenience, from a heavy debt which they had bound themselves to pay at prescribed periods, and which, when due, they must either fully pay or disgracefully repudiate. It could not

have been rationally expected, or even hoped, that the sinking fund, as constituted, could pay the accruing interest of the school fund, and that on the state debt proper, and also accumulate a fund sufficient to pay that enormous debt as it shall fall due. And, though authority is given to increase the resources of the sinking fund, it is nevertheless obvious that this was done to meet unexpected contingencies, and that the convention deemed the regular product of that fund sufficient for effecting, in proper time, the full payment of the "state debt" which it was sacredly devoted to pay. Then, is it not intrinsically probable, almost to moral certainty, that the school fund was not considered a state debt provided for by the 34th section of the 2d article of the constitution? As the onerous debt which, by solemn contract upon full and valuable consideration, would become due at conventional periods, must—to save the honor and credit of the state—be paid before, or as soon as due, however unpopular, or whatever might happen, is it not altogether probable that this was "the debt of the state," the *certain* and *punctual* payment of the whole of which, principal and interest, the convention intended to secure against popular caprice and legislative power? And, as the system of common schools is, as yet, but an experiment in Kentucky, and could neither be made useful nor should be sustained longer than public opinion shall approve it—and as, moreover, the sinking fund could not be expected to supply the school fund and meet all the debt with which it is charged by the constitution, is it not quite probable that the convention thought it not only sufficient, but best to leave to the patronage of public sentiment the product, as well as the application of the school fund, in time to come, as in time past?

6. The convention contemplated the payment of the principal of the state debt before, or as soon as it should become due. This could not be expected from the sinking fund, unless its savings, after paying the annual interest, should be sufficient for anticipated partial payments of principal, or should, before it becomes oue, accumulate to an amount exceeding $3,000,000. If, in the vicissitudes of the future, the pressure of a crisis, not very rare, shall reduce the market value df our state bonds considerably below par, policy would dictate a purchase of them, as far as means could be commanded by the state without oppression. The occasional absorption of the principal of the debt, by partial purchase, was desired by the convention. It would be rather unreasonable, then, to presume that the convention intended to charge the sinking fund with the payment of the school fund, either as interest or as "principal and interest." It would seem to be much more reasonable to presume that—considering the school fund as merely a maternal pledge for the education of the children, and considering the obligation of the state to refund, as she had covenanted to do, at a fixed time, money she had borrowed and used, as a debt which *must be punctually and fully paid*—the convention—regarding, as above all price, the credit of the commonwealth—determined to secure, beyond contingency, the certain payment of that debt; and, establishing also the school fund as an inviolable capital, resolved to impose on the future representatives of the state the duty of providing the means of paying the annual interest on that embalmed gift to her own children. The public debt, excluding the school fund, may be estimated at about three million two hundred and fifty thousand dollars. After paying the interest on that sum, there may be expected to be, at the end of each year, a residuum of not much, if any, more than about $50,000, of the avails of the sinking fund. This annual surplus, if applied to the purchase of portions of the debt, or invested prudently from year to year, would not be more than enough for the certain payment of this "whole debt," without defalcation. If, however, the sinking fund should, either by good fortune or by an augmentation of the taxes, produce more, ever so much more hereafter than hitherto, the whole profit, whatever it may be, might be usefully applied to the progressive extinguishment of the principal of the three and a quarter millions debt at par, and probably at less. I have heard, and from a credible source, that

even now, two hundred and fifty thousand dollars of that debt could be bought with ninety cents for each dollar of it. If this be so, and the commissioners of the sinking fund had the means of making the purchase, they might, by that single operation, save to the state $25,000. There is much reason for presuming, therefore, that the convention—manifesting such anxious concern about this heavy debt, and providing such stringent means for the prompt and certain payment of it—intended that none of the moneys locked up by the constitution for paying it, should ever be applied to any other purpose, until that object had been completely accomplished. And such I consider the true constructive aim of the 34th section of the 2d article of the constitution. "The debt" contemplated by the 34th section is a debt that *may be extinguished; it cannot be a continually recurring liability, declared to be immortal.*

In my judgment, the 11th article fortifies this construction of the 34th section in such a manner as to authorize a conclusion difficult to resist.

The 11th article—the whole of which is devoted to the "school fund"—imbeds the capital of that fund in the body of the constitution—consecrates it as forever inviolate—authorizes the profits "to be appropriated in aid of common schools, but for no other purpose"—and then, with the trumpet voice of congregated Kentucky, commanding the legislature to make provision by law for the "payment of the interest"—stereotypes the solemn injunction in letters of sunshine, that "he who runs may read."

Hence we may derive strong considerations, corroborative of those already suggested, for the conclusion that the sinking fund is not pledged to sustain the school fund; or, in other words, that the school fund is not *the* debt, for the payment of "the principal and interest" of which the sinking fund is mortgaged, by the 34th section of the 2d article of the constitution.

1st. To the whole extent of the original dedication by the act of 1837, and of the accumulations unexpended and certified by bonds, recognized and established by the 11th article as capital of the school fund, the provisions of that article itself show that the capital is only nominal, and that the state is never required or expected to supply it in money, or otherwise than by her credit and her liability for interest on the amount of it. To raise, by taxation, any portion of that ideal capital, or, when so raised, to transfer it to the board of education, or to place it in the treasury, would violate the spirit, if not the letter of the 11th article, declaring that the fund "*shall be* held inviolate." And even if constitutional, such a course might be as suicidal as it would certainly be puerile. It might endanger a fund left by the convention in safety under the guard of the constitution; if taken from the custody of the supreme law, it might be misapplied, wasted, lost. Even if preserved and judiciously appropriated to education, it would be capital no longer, nor would produce interest any longer. And if the whole of it should be converted into money, there would then be no "interest of the school fund," for which the legislature is required to make, or could "make provision by law." Besides, why tax the people to convert a *titular* capital into money, which would be less safe, and probably less productive, than the state credit; and which, if always perfectly safe and judiciously invested, could not be expected to produce more than the interest the people are required by the constitution to pay on the amount of it, *for never being required to advance it?* This consideration, were there no other, tends to show that what is called principal of the school fund is no state debt. It serves to show, also, that if now, since the adoption of the present constitution, the interest on the school fund should be deemed a state debt, it is not such a debt as "*the* debt" intended by the 34th section: 1st, because that was the debt previously incurred and then subsisting—and the interest on the school fund was never a "state debt," until made, if indeed it is made *so*, by the 11th article of the constitution; 2d, because the debt for which the sinking fund is

pledged, consists of "principal and interest," and the interest of the school fund cannot be a debt of both principal and interest.

2d. If the 11th article should be interpreted as recognizing "the interest of the school fund" as a debt, it also devolves on the legislature the duty of providing the means of payment; which implies that the recognition of the duty to pay is on the condition, and with the understanding, that the certainty of payment shall depend on no other guarantee than that of the constitutional injunction on the legislature to provide the means, and of popular good faith, and legislative fidelity. The constitution provides for paying "the debt," and requires the *legislature* to provide for the payment of the interest of the school fund. Had this interest been considered a portion of "the debt" of the state, provided for by the 34th section, the command to the legislature to make provision, *by law*, for the payment of it, would have been superfluous. The provision required must be understood to mean a provision of *the means* of payment. I can perceive no plausible ground for any other interpretation. It could not have been intended to mean some provision for prescribing the amount of interest to be paid, or the times, or the mode of payment; because the aggregate sum, on which the interest was to be calculated, was fixed by the constitution, and had been previously defined by statute—the burnt bonds stipulated for the payment of semi-annual interest in money—pre-existing and still continuing law, had settled the rate of interest and the time for each semi-annual payment, and the recorded lists contain a memorial of every thing essential or useful in the bonds. Then nothing, but the money to pay with, remained unprovided for. No legislative *provision* "for the payment of the interest" could be necessary or useful for any other purpose than for providing the "ways and means"—nor can the provision be consistently understood as merely supplemental to the sinking fund, or as contingent in the event or partial to the extent of a deficit in the avails of that fund. Had this been the purpose, a more infelicitous or delusive mode of expressing it could not have been adopted than the words we find in the constitution, which necessarily import an imperative command, without any qualification of either contingency or discretion. "The gen-" eral assembly *shall* make provision, by law, for the payment of the interest of " said school fund," imposes an inevitable duty, without any other qualification or contingency than the implied one of the failure of common schools; and necessarily implies, also, that the constitution itself had made no provision of the means of paying that interest, and therefore required the legislature to provide them. I can imagine no other rational motive for the requisition; but I can plainly see that, had it not been prescribed, and in unconditional terms, the great object of placing the school fund beyond the reach of legislative power would have been frustrated. If the sinking fund had been made liable for the interest on the school fund, as well as for the payment of the public debt, it could not have effected both objects—and consequently, not only might each be partially and injuriously defeated, but, as common schools might become more popular than foreign debts, and the education of our children more agreeable than the prompt satisfaction of alien creditors, repudiation, actual or virtual, might have been the humiliating consequence. And the sinking fund being therefore exclusively devoted to the security of all such creditors, until their whole debt shall have been paid, had the constitution left to the discretion of the legislature the supply of means for paying the interest of the school fund, the time might not be distant, when that body, unwilling to increase the taxes for that object, would let the system of common schools totter, and perhaps fall, and even perish for want of nourishment. Therefore, no such discretion was left; and without the provision as it is, the consecration of the school fund by the constitution, proving ineffectual for the *vital* purposes for which it was designed, might have made it a loathsome *mummy*. Such, in my judgment, was the motive—and such, consequently, should be the construction of this fundamental mandate.

3d. Had the 34th section been intended as a *provision* "for the payment of the interest" of the school fund, having authorized an augmentation of the means co-extensively with the end, it would be the duty of the legislature to supply any deficit in the fund set apart by that section. On this hypothesis, the requisition in the 11th article was not only superfluous, but incongruous and vexatious; and moreover, would have been more appropriately inserted in the 34th section, and thus have applied also to the state debt, proper, *in respect to which it would have been more necessary.*

4th. The sinking fund was created to pay "the state debt"—*not including the school fund, then not existing*—and, being established for that purpose, it was solemnly pledged, on the faith of the commonwealth, to the holders of her bonds, to be devoted to their security until full payment had been accomplished. Then, would it have been consistent with either good faith or sound policy, to revoke or qualify that pledge—especially by the *constitution*, which could neither be resisted nor disregarded?

5th. The simple fact that the 11th article is devoted solely to the 'school fund,' and provides every thing that could be deemed essential to its security and its utility, implies that the 34th section neither applied to, nor made any provision for that charitable fund; and this fact alone is almost, if not altogether, sufficient to show that the convention looked on the subject of the 34th section as an actual debt, and that of the 11th article as a munificent charity; the first, being inevitable, to be secured by a mortgage of the "sinking fund"—the last, being merely honorary, to be provided for by legislative enactment. Thus, Kentucky, by these two distinct clauses in her constitution—like an indebted mother, just to her creditors and kind to her own family, says in the first clause—"owing a large debt, for "money borrowed and used for improving the heritage of my posterity, and having, hitherto, provided a 'sinking fund' to sink and gradually discharge *that debt*, "I now declare that this pledged fund shall be faithfully devoted to the payment "of *that debt*, as soon as possible, and that no portion of it shall be diverted, by "my executors, to any other use, until the whole of 'the debt' shall have been "faithfully paid and satisfied;" and, by the second clause, says to her unadvanced children—"desiring to promote your moral improvement and qualify you to be-"come good and useful citizens of a noble commonwealth, I had, *after* providing "the 'sinking fund' for my creditors, declared that 'the interest' on another fund "should be dedicated to your education; and now, still anxious to effectuate that "desirable object, as far as I *prudently* can, I declare that this 'school fund' shall "be held inviolate by my representatives; but, feeling it to be my duty to be just "before I am generous, I further declare, explicitly and emphatically, that, *with-"out touching 'the sinking fund'* until my debt shall have been extinguished, my "executors 'shall make provision,' out of my other, and ample estate, 'for the pay-"ment of the interest' of the 'school fund.'"

Such is my interpretation of the 34th section of the 2d article and of the 11th article of the new constitution of Kentucky. If this be the proper construction of the constitution, on its face, it cannot be resisted or defeated by an appeal to extraneous considerations. But the debates and proceedings of the convention, when fairly and fully considered, strengthen this construction.

1st. They show a pervading and intensely earnest determination to secure, beyond contingency, the means of the certain and prompt payment of 'the state debt,' which, by *contract*, would become due at fixed periods; and, 2d, they conduce strongly to prove that this, and this alone, was 'the debt' contemplated in the 34th section. Mr. Bradley, who proposed that section, referring to the message of Governor Crittenden, exhibited the items of the 'state debt,' *showing, that no portion of the 'school fund' was any part of it*, and that the debt to be secured by the proposed section amounted only to $3,262,413 81. And then, alluding to that debt, and nothing else, he said: "I really desire to have the resources of this

fund [sinking] applied to the extinguishment of *the debt*, and to *no other purpose.*" *And no other object or purpose was vindicated, proposed, or intimated, in the whole debate on his proposition, as thus explained by himself, and reiterated by Mr. Kavanaugh and others.* (Debates, page 772.) Mr. Hardin, suggesting that the *liabilities* of the state exceeded six millions of dollars, deducted from that aggregate sum the liability forbank stock, which would pay for itself, *and the liability, also, for the school fund;* and, leaving, as 'the debt' which must be paid, the amount exhibited by the governor and Mr. Bradley, he showed that if the sinking fund would pay the accruing interest on that debt, a judicious investment of $50,000 a year, and from year to year, would, *in due time*, extinguish the whole amount of the principal. After both the 11th article and the 34th section of the 2d article had been adopted, Mr. Kavanaugh offered a resolution, declaring that the proceeds of slackwater navigation should belong to the 'sinking fund,' and that this fund should not be liable for either the interest or the principal of the 'school fund.' And the fact that this proposition was not adopted, has been urged as an evidence that the convention intended that the 34th section should embrace the school fund. I think differently, for the following, among other reasons: 1st. The act of 1849, already alluded to as a law appropriating the avails of slackwater navigation to common schools, *had not then been repealed;* and, as stated by Mr. Hardin, and admitted by Mr. Kavanaugh, the object of the resolution was to abrogate that enactment, and restore to the 'sinking fund,' *without any corresponding liability to the 'school fund,'* the tolls thus abstracted from it. The convention did not choose to do this, and therefore voted against that proposition. And this alone—the previous question preventing any amendment, having been ordered—was a sufficient reason for rejecting the entire resolution. 2d. The residue of the resolution, and which could not be voted on separately, was doubtless considered not only as a mere consequence of the first portion of it, but as a reiteration of the constructive effect of the 34th section, which had been adopted; and, therefore, had a vote been taken on that portion alone, this reason would have induced the rejection of it. And this inference is strengthened, rather than weakened, by the speech of Mr. Lisle, who was the only member who made a speech against this resolution, and who said, "by the adoption of the section we will virtually repeal "an act passed by the last legislature. [The said act of February, 1849.] The "legislature should have the power of applying the income arising from these "roads and rivers, to the payment of the interest on that [the school] fund. The "section was designed to prohibit *any portion* of the income of the sinking fund "to the payment of the interest on the school fund;" which might mean that portion which the act of February, 1849, if unrepealed, would take from the 'sinking' and apply to the 'school fund.'

Nor does the fact that Governor Crittenden paid out of the sinking fund the interest due on the 1st of July, 1850, on the school fund, show that, in his opinion, the 34th section embraced that interest as a portion of the 'state debt,' for which it set apart the profits of the former fund. An act of March, 1850, had repealed that of February, 1849, and charged the interest of the school fund on the sinkink fund. That act was constitutional, because the new constitution had not then been adopted; and, under the authority of the act, which *was* law until the adoption of the constitution, Governor Crittenden considered it his duty to pay the interest out of such of the proceeds of the sinking fund as had accrued to the use of the school fund, by the operation of the act while it was the law of the land—believing, as we may presume, that the constitution did not retro-act on that fund to the extent of such a vested right to money, not only appropriated to, but collected for it. While it should be conceded that no extrinsic considerations can control the construction of the constitution, on its own face, I must be allowed, respectfully, to repeat that the debates, carefully analyzed and properly considered, strengthen the interpretation I have given to the 11th article, and 34th section of the 2d

article; the first of which, as I believe, applying to and making provision for the 'school fund,' and the last excluding it from any participation in the profits of the 'sinking fund,' until the state debt shall have been fully and honorably discharged. Many other facts appearing in the reported debates of the convention might be referred to as conducing to the same conclusion; but the occasion will not allow a more minute or analytical reference to that comparatively irrelevant source of construction, or mere amplification on so much as has been quoted, and which exhibits, in my opinion, the strongest arguments, both for and against my construction, afforded by the book of debates.

The fact that the legislature passed the act of the 1st March, 1850, while the constitution was before the people for their ratification, and that the convention, in its final action, in June, 1850, neither took any notice of that enactment nor made any change in the destination of the sinking fund, as fixed by the 34th section of the constitution, and as voted on and approved by the majority, does not imply that the members of the convention considered the sinking fund liable for the interest of the school fund; because they would not notice that more than any other statute, nor would have presumed to make a radical change in the application of the sinking fund, as approved and settled by the popular vote of their sovereign constituency. But that statute not only concedes priority to the interest on 'the debt' due at fixed periods, and unconstitutionally directs the commissioners, after paying the periodical interest on that debt, to pay, as far as the means remain, the interest of the school fund, but *constitutionally* requires *the treasurer of the state* to pay whatever portion of interest demanded by the board of education the sinking fund shall have failed to pay. And here—as required by the constitution—we have a 'provision by law,' made by the 'legislature,' 'for the payment of the interest of the school fund.' Under this provision of law, it will be the duty of the treasurer to honor the authorized drafts of the superintendent, even though by doing so he may exhaust the treasury, and not save a dollar for paying either your excellency, the judges, or the members of the legislature. And knowing, as I do, the vigilance, fidelity, and great ability of the superintendent, who, by his devotion to universal enlightenment, has secured to his name present and posthumous renown—I presume that he has already drawn from the treasury as much of the last January installment of interest as the treasurer had the means of paying. If so, some further 'provision by law' may become necessary for some other element of the civil list, and which the legislature will know best how to make. And this corresponds with my construction of the policy and purpose of the convention. *By bringing the common schools into immediate and continual contact with the pockets of the tax-payers, the people will be stimulated to be more watchful of the administration, and more inclined to correct defects and prevent abuses of the system, and improve and perfect it, until it shall become adapted to its only true design—the education of the poor by the contributions of the rich, to be made, not for distribution as sometimes now, to lie idle in some counties, or for educating the children in other counties, of persons as rich as the contributors—but for the only economical, practicable, just, and beneficent object of securing education to such poor children of the commonwealth as could not otherwise obtain its blessings.* It is the civic, as well as personal duty, of every citizen to educate his own children; and the commonwealth should require every citizen having the means, to fulfil that sacred and paramount trust. It is also the interest, as well as the duty, of the rich, to provide for the education of the poor; but it is neither the interest nor the duty of the poor to contribute to the education of the rich. Nor is it the interest of one county—as Fayette—to contribute thousands of dollars, either to lie idle in some other counties, or to be applied there to the education of the children of other persons, as able as the people of Fayette to educate their own children, with their own means. Any system which requires one rich man to educate another rich man's child, or which taxes the poor to educate the rich, must, sooner or later, fail as an

abortion, or a humbug, which is even worse. *But no system, so organized as to tax the rich so far, and only so far, as may be necessary for securing to all the poor an elementary education in primary schools, and to the elite of them a finish in a central university, will ever be unpopular, or will ever fail in any republic where the people are virtuous and intelligent, or destined long to be free.* Such an institution, properly managed, will be a nursery of national power, liberty, and true glory. It was such an institution that the committee on education, of which I was chairman, in the year 1822, commended to the people of Kentucky, by a report which, by order of the legislature, was distributed throughout the commonwealth, to awaken popular attention and favor—it was for such an institution that I have, ever since, continued to plead and to hope—and it was for such, and only such, that the late convention consecrated the 'school fund,' and commanded the legislature to provide for the payment of its interest. And, in my opinion, it was to *assure* radical improvement in the present imperfect system of common schools, and finally, a more just and enduring system for educating the poor, as well as to *secure* the prompt payment of the state debt, that the convention pledged the 'sinking fund' to the latter object, and left the other to be regulated and provided for *by the people*, through their representatives. By this construction, every provision in the 34th section and in the 11th article of the constitution will not only harmonize, but have a consistent effect. And, in my poor judgment, this construction harmonizes most with the credit, interest, and honor of the state, and also with the better destiny of the struggling and yet unsettled cause of popular education in Kentucky.

Thus sir, having, as you requested, given you my opinion, I cheerfully, and without fear of consequences, submit it, with some of the reasons for it, to your official consideration. If you concur, you cannot, conscientiously, give your official sanction to a late resolution of the legislative department, directing the commissioners of the sinking fund to comply with the act of March 1st, 1850; because, the people in convention were superior to their representatives in the legislature; and because, therefore, when an act of assembly conflicts with the constitution, the act is void, and the constitution is, in that case, the law, *and the only law.* Nor could you, as a faithful sentinel of the 'sinking fund,' and guardian of the credit and treasure of the state, direct any portion of the profits of that deposit to the payment of interest on the 'school fund.' As a commissioner of that fund, you are required, and should be expected, to take care and dispose of it according *to law.* And nothing inconsistent with the constitution can be law, or authorize you to violate the supreme and only law. A legislative act, if unconstitutional and void, can give you, in this case, no more authority or excuse than a bill of attainder or *ex post facto act* would authorize you to hang a citizen, or could, if you should hang him, exonerate you from the guilt of murder.

It is my wish, as well as my expectation, that, in all your official acts relating to this subject, as well as all others, you will do what you honestly believe to be your duty to the common welfare of your constituents, and to the constitution of your country, which you are sworn to support, as the supreme law of the land.

Yours, respectfully, GEORGE ROBERTSON.

To GOVERNOR HELM, Frankfort, Kentucky.

Opinion of Judge EWING:

I have been in bad health during the winter, and am now sick; but being requested to express my opinion as to the proper construction of the two clauses of the new constitution, in relation to the sinking and school funds, or whether the former fund is chargeable with the interest and principal—or either—of the latter, for

the information of the commissioners of the sinking fund, I feel it my duty to do so.

In my present state of health, I must content myself in stating my opinion, with a few brief suggestions as the grounds of that opinion.

The 34th section of the 2d article provides that "the general assembly shall have no power to pass laws to diminish the resources of the sinking fund, as now established by law, but *may pass laws to increase it;* and the whole resources of the said fund, from year to year, shall be sacredly set apart and applied to the payment of the interest and principal of the *state debt, and to no other use or purpose,* until the whole debt of the state is *fully paid* and satisfied."

Article 11, 1st section, after enumerating and consecrating to common school purposes, certain funds as a principal or basis, provides that "the general assembly *shall make provision, by law, for the payment of the interest of said school fund.*"

The sinking fund was established in 1836—(3d statute laws, 292.) It was established for the exclusivive purpose "of carrying on a system of *internal improvement in the state;* and providing for the punctual payment of the interest on money borrowed *for that object,* and the final redemption of the loans." After vesting in commissioners certain enumerated funds, they are charged with the payment of the interest on bonds sold, or to be sold, *for works of internal improvement.* For the purpose of sustaining the common school system, the legislature has occasionally called on the sinking fund for advancements of some several sums, at remote periods. But these calls have been made, it is believed, always under special acts of the legislature. To prevent this recurrence, and to direct the sinking fund to the objects of its original creation, the convention determined to separate the two subjects; and to consecrate its accumulating profits beyond legislative control, to the payment of the annual interest, and the ultimate *sinking* of the principal of debts, contracted for internal improvement.

Hence, they committed the two funds, and the constitutional provision in relation to each, to two distinct committees; and finally, after receiving both reports, they devoted the sinking fund to the exclusive objects of paying the interest, and sinking, by the surplus, our state debt, and requiring the legislature "to make provision, by law, for the payment of the interest on the school fund, for the benefit of common schools."

That the convention looked to the ultimate payment of the *principal* of the state debt proper, as well as the interest, is perfectly obvious, from their discussion, offered amendments, and final action, on the subject of the sinking fund; and not a word was said, or reference made to the school fund, as a draft in interest or principal on the sinking fund. And if the interest only on the school fund was made a draft on the sinking fund, there would be no accumulation of profits, out of which the principal of the state debt proper could ever be paid, and the state would be left bankrupt before pay day arrived. Indeed, it is quite obvious, that in a very few years the sinking fund would be left bare of the means to pay the interest.

The debts owing to second persons as obligees, has been for years called, known, and designated by all our public functionaries, as our only *state debt;* while the sum set apart for school purposes, has always been called our *school fund*—and not a *state debt.* When our convention makes provision for the payment of the *state debt,* and makes no mention of the payment of the *school fund,* must not their language be necessarily understood, and restricted to the payment of that demand which had always been called and designated as our *only state debt?* And how can their language be construed or tortured into the payment of interest or principal of the school fund, when they have used or ingrafted no language in the 34th section, enjoining on the sinking fund the payment. But, on the contrary, sacredly set apart the whole resources of the sinking fund to the payment of the *state debt, and to no other use or purpose.*

Our state debt to second persons secured by the bonds of the state, the legislature had no right to abolish, cancel, or impair, without violating the constitution of the United States and state, which inhibit the impairment of the *obligation of contracts*. But they might, at any time before the adoption of the new constitution, have abolished the common school system, and dissolved the board of education, without an infraction of either constitution; and, in that event, the funds could have reverted to the state, for any other state use to which they might have been applied. While the first was appropriately called our *state debt*, the latter was called a *school fund*, which was subject to the control of the legislature, as a bounty due from the state to the state; and placed in the hands of the board of education as naked fiduciaries, for the use of the state, in the education, for the time being, of the children of the state.

It never has been contemplated that the principal of the school fund should be paid off; nor was it contemplated by the constitution, as is obvious from the language they use in article 11, first section. They set apart the principal as a sacred fund for the use of common schools, and enjoin the legislature "to make provision, by law, for the payment of the interest" on the same.

The language used by the convention, in the section on the sinking fund, is applicable alone to the *state debt* proper, whose principal falls due at a stated time, and must be paid off; and is wholly inapplicable to the *school fund*, whose principal is never to be paid off or sunk, but to remain as a perpetual fund, whose profits only are to be applied to aid in the support of common schools. If the sinking fund clause is to be extended and made to embrace the payment of the school fund, as a state debt, it produces an irreconcilable confliction between the two clauses, as the common school clause only provides for the payment *of the interest*, and even that is not directed to be paid by the sinking fund, but to be provided for by law.

Again, if the school fund was embraced by the sinking fund clause, as a *state debt*, no legislation is necessary on the subject, as the commissioners, by the injunction of the clause, would be bound to pay the interest, &c.; and if that fund is not embraced as a *state debt*, designated as such in the sinking fund clause, no legislation would authorize the payment, as it would be an infraction of the constitution.

The 11th article, after consecrating the principles to common school purposes, provides "that the legislature *shall make provision, by law*, for the payment of the interest of said school fund."

It may be remarked on this clause, that the words, "*make provision*," imports more than a direction or order for the distribution of the interest of the school fund. Such direction could not be practically made, without first raising the funds by taxation or otherwise, to distribute. The words, "*make provision*," naturally imply that the *ways and means* shall be first raised, and then the distribution be made. To *make provision* is to *create* the means, and not to snatch them from a fund consecrated to another object by constitutional sanction.

Had the convention ever intended that the interest should be drawn from the sinking fund, they surely could, and would have used language more clearly ex-expressive of their intention, and more consistent with the language used before in the sinking fund clause. What more was necessary for them, than, instead of the language used, to have directed that the school fund should be paid by the sinking fund?

Another remark may be made upon this clause. It is *imperative* on the legislature to make provision, by law, for the payment of the interest on the school fund. They *shall*, &c. It is only discretionary with them to increase the resources of the sinking fund. They *may*, &c.

In the first case, the representatives may cast the responsibility of taxation on the convention, and escape from it themselves. In the other case, the responsibility rests on the representatives, and a majority of them may postpone the evil

day from time to time, to escape from the responsibility of increasing the taxes, until it is too late.

Besides, taxation for common school education, is much more popular than for the payment of our debts, contracted for internal improvements, as the fructifying and beneficial influence of the one is experienced and felt in every hamlet throughout the entire state, while that of the other is felt or experienced by a very few, and a large portion of the tax payers of the state are left destitute of their benefits. Moreover, taxation for school purposes is much less oppressive to the people, as it is paid out only for a short time, to be returned and distributed amongst them, perhaps more bountifully than they paid.

These considerations may have, and most likely did influence the convention in consecrating the resources of the sinking fund to the payment of our *state debt*—interest and principal—believing as they did, that the growing surpluses would accomplish the end by the time the debts fell due; and enjoining it upon the legislature to make *provision, by law,* for the payment of the interest on the school fund.

I am asked, what will be the consequence to the commissioners of the sinking fund, in case they pay the interest or principal of the school fund? If I am right in the interpretation, which I have given to the two clauses of the constitution, it may be perilous. The commissioners are fiducaries—quasi trustees—having funds placed in their hands by the debtor, consecrated by constitutional sanction, to be managed, used, and applied, *in trust,* for a designated class of creditors, in the payment of her debts, interest and principal. Those creditors are interested in the fund set apart to their use, and may hold the fiduciaries to a faithful application of them. If the commissioners waste those funds, or apply them to other purposes than those designated by the constitution, can it be doubted that they might be held responsible, personally, by the creditors, in a court of equity, for a breach of trust? They certainly are bound to regard the supreme law, and to disregard any enactment which conflicts with it, as a nullity.

But, were the question a doubtful one, could the commissioners act with safety to themselves, in making payment of the school interest, without first demanding a judicial decision of the question by the highest tribunal? This is a matter for the exercise of their own discretion. It is to be hoped, there being no delays interposed on either side, that the question could be so speedily settled, even by the court of appeals, as to present no serious obstacles to the successful progress of the common school system.

E. M. EWING.

Opinion of R. WICKLIFFE, ESQ.:

DEAR SIR: Your excellency's letter, of yesterday, was delivered to me in Frankfort, just as I was leaving for home, but I take the earliest moment of leisure I have to respond to it. You request my opinion upon, or, construction of the power of the legislature, to pass any act or acts, by which the commissioners of the sinking fund are bound to apply, or pay over the funds under their control, to any use or purpose, other than the payment of the principal and interest of the state debt, until the said debt, with the interest is paid off: in *other words,* to force the payment of the liabilities of the state, in all cases; and more especially, to defray the expenses and charges of the commissioners of the education fund. Under the old constitution, as well as the constitution of the *United States,* the legislature is expressly forbid to pass laws impairing contracts—of course, to pass laws impairing contracts of the state. I have not a bond of the state, for the payment of which the sinking fund was in part established, before me; but on the face, I think, of every such bond issued, the sources to pay are enumerated, and

a pledge and obligation given, that they shall stand bound, and be faithfully applied to the payment of the interest and *principal* of such bond, until the same is paid off. To such bond is annexed the seal of the state, and the name of the executive affixed; so that, without the prohibition of the new constitution, I should pronounce against the power of the legislature to divert the pledged funds on the face of these bonds. When the convention met, it found the debt for which such bonds were executed, amounted to the enormous sum of four millions of dollars; and that the treasury was burdened with other liabilities to a very large amount, that would call for taxation to save the credit of the state. To avoid the castrophe of a violation of public faith, and to compel the legislature to preserve the honor of her people, in the second article of the constitution, they expressly say: "*the general assembly shall have no power to pass laws to diminish the resources of the sinking fund, as now established by law; until* the *debt* of the state be paid, and the *whole resources of said fund shall be sacredly* set apart and applied to the payment of principal and interest of the state debt; and to *no other use or pu rpose whatever, until the whole debt of the state is fully satisfied.*" Could langu age be more plain—more forcible or applicable to form a negation of every act or power in the legislature, and its agents to divert the resources of the sinking fund to other and different objects and uses than those designated? Were I the executive, or a member of the legislature, or a commissioner of the sinking fund, I should consider myself sworn, and *sacredly bound*, to not divert a dollar of the fund to the payment of any other debt or liability of the state, than the funded debt of the state; nor could I find a salvo to my conscience if I did so divert the resources of the sinking fund. In the 1st section of the 11th article of the constitution, so far from that section contradicting, or even abridging the force of the 34th section, 2d article, it sustains and enforces its prohibitions. After enumerating what constitutes the school fund, it provides that the legislature shall make provision, by law, to pay the *interest*. By what kind of a law are they to make provision for paying the *interest?* (not the principal.) Certainly not by an act the legislature cannot pass; not by an act contravening the constitution; but by taxation, or by the creation of new stocks by loans, or by other lawful ways, or so they do not contravene the constitution. It is wonderful that it did not occur to the legislature, that if the 34th section of the 1st article embraced the liability of the state to the education fund, under the word debt, that the provisions they rely on in the 1st section of the 11th article, was not only unnecessary, but proves the convention to be guilty of the consummate folly of providing for the school expenses twice, and that by two separate and distinct articles of the constitution. But very different is the fact. The convention knew that the liabilities of the legislature to pay the executive and judicial departments their salaries, and to others their demands, as well to the education fund, were not touched by the 34th section of the 2d article. They knew that the legislature would take care of themselves, and all the other departments and liabilities otherwise, but feared the common schools might, in course of time, be abandoned, and imperatively enjoined it on the legislature, to provide, *by law*, for the payment of the interest of the education fund, (not principal and interest.)

I have thus, sir, thrown together the thoughts of a feeble old man; who, in early life, lent his little influence to defend the weaker department of government against the encroachment of the stronger department, upon a much more doubtful constitutional point than is involved, (in his opinion,) in the unhappy controversy now existing between the legislative and the executive departments. Looking to the consequences that then resulted to my country, from the stronger trampling upon the weaker, I can but hope that a more calm consideration will induce the legislature to pause and duly consider the dreadful effects that may follow. If they now push these measures to extremes, if the record and the executive of the state can be relied on, the resources of the sinking fund cannot sustain the expen-

ses of the common schools, and pay interest on the public debt; and can it be possible that the legislature will again require the officers of the other departments to violate their oaths, and ruin public credit, on pain of removal from office. If they do, that trust I have ever had in the great people, I hope, will not now fail; but that they will, as heretofore, manifest to their sister states, and to the world, that their constitution has not been violated with their approbation—that they now, as ever, consider no law violating their faith or contracts, binding—and that they will ever maintain their constitution, and that of the United States, inviolate.

With very great respect,

I am your excellency's ob't. serv't.

R. WICKLIFFE.

Opinion of ELIJAH HISE, ESQ.:

RUSSELLVILLE, February 12, 1851.

TO HIS EXCELLENCY, JOHN L. HELM:

Your letter, dated February 2, 1851, is now before me, and must have been written before you had received my answer to your former communication. You request me to express my opinions upon certain questions presented, in order that they may be made known to the commissioners of the sinking fund.

The school fund is stated in the new constitution to amount to the aggregate sum of $1,350,491 71. This fund, before the adoption of the 1st section of the 11th article of the new constitution, might, and could have been altered, changed, refunded, or entirely abolished at the discretion of the legislature; because, our system of public instruction was adopted, and its means of support was provided, as mere matter of public policy, and of course was subject to be altered, improved, or abandoned, at the pleasure of the state; and because, again, the said fund was not, and could not, be regarded as a contract or debt, the non-fulfillment or non-payment of which would have involved the government in the guilt and turpitude of a dishonorable breach of faith, and a violation of her solemn obligations to individuals.

To constitute a contract to be inviolable, there must be both contractor and a contractee—to constitute a public debt, such as, if it be not paid, the state would be guilty of an inexcusable breach of good faith, there must be a debtor and debtee, a payor and payee. No right-minded man, it seems to me, can contend, with any show of reason, that the school fund constitutes such contract or debt; hence this fund is not referred to or embraced within the provisions of the 34th section of the 2d article of the constitution; and, as that section positively commands that the whole of the sinking fund, as then existing, and as it may be thereafter increased, by adding new resources thereto, shall never be applied to any other use or purpose than the payment of the interest and principal of the state debts, until they shall be first paid and fully satisfied, it follows as a self-evident and obvious deduction, that no part of the said sinking fund can be used or applied to the payment of interest on the school fund, without an open violation of a plain provision of the constitution. A public *debt* and a public *fund* created by the state for *public purposes*—such as the support of public instruction, public improvements, or of eleemosynary institutions—are two things as different and as distinct in their meaning and nature from each other as the note of A., given upon a good legal consideration, to pay to B. $1000, is different from a mere promise of A., uttered in a public address, that he intended to be a charitable man, and to spend $1000 per annum out of his estate, for charitable purposes, or to further the objects of the colonization society, or of any other association, public or secret. The one is a positive, legal obligation, which he has no right or power to

violate—the other is a mere voluntary promise to himself, to regulate his moral conduct in conformity with his *then existing views* of what is his duty, or of what, at the time, it is good policy to support, which he has a perfect right to withdraw, and his non-fulfillment of which gives no one a legal ground of complaint, and is no person's business but his own. Therefore, I say again, the words "*state debt*," or the "*debt of the state*," as used in the said 34th section of the 2d article of the constitution, does not and cannot mean school fund; and as further and most conclusive proof of this, the convention—because in this and the other preceding articles of their work they had not, as yet, made any provision, adequate or otherwise, in regard to the school fund and its interest—adopt and enact the said 11th article, by which they expressly and in so many words command the general assembly—*not merely to let alone* any thing that had been done—not that they should fail to *violate or disturb* what had been previously enacted, either by the legislature or convention—not that they should not misapply the interest on said school fund as though it had been already provided for—but to do something in future—something real and substantive. That is, they are commanded, thereafter, to make provision "by law (to be afterwards enacted by that body) for the payment of the interest on said school fund." In other words, the general assembly are not *merely prohibited* from disturbing any arrangement on this subject, as though the convention had already adopted any—they are not prohibited merely from misapplying the means to pay the interest on the school fund, as though it had been previously provided for by the convention itself—but the legislature is expressly commanded thereafter, by law of its own enactment, to provide the means to pay that interest, and for the obvious reason that the convention had not otherwise made provision for this interest; and had they not commanded the legislature to make such provision, it would have been needless to make the school fund itself inviolate: for as much as $1,225,768 42 of said fund is in fact nothing but a legal, and now a constitutional recognition of that amount as constituting a part thereof, and as to this amount of said fund the interest is every thing and the fund itself a thing merely of legal creation, without the actual payment or investment of a dollar in money. It cannot be denied that the said 34th section of the 2d article of the constitution contemplates, or rather directs, the entire payment of the *whole* of the principal of the debt therein mentioned, as well as the prompt payment of the half-yearly interest thereon as it becomes due, and that the *whole* of the sinking fund, with its present resources, and such others as may be hereafter added thereto by subsequent legislation, or by *surpluses* over $5,000 that may be realized by *retrenchment* of government expenditures, is *directed, imperatively*, to be applied to such, and to no other purpose whatever, until such design is fully accomplished; and, further, until the whole of the state debt named, and all accruing interest thereon is fully paid, the said sinking fund may be increased, but can never be diminished in its resources, or abolished. Then it follows, upon the erroneous view of the constitution, as entertained by the legislature, that the school fund must be extinguished and wholly paid off, as though it were a debt, (when it is no such thing,) or otherwise the sinking fund, with all its present and future resources, can never be diminished or abolished, as circumstances and good policy might require; but the same, together with all the taxation, direct and indirect, from which its means are derived, would necessarily have to be forever continued, though it would become, after the payment of the state debt due to individuals, not only an oppressive but an unnecessary burthen on the people. This would be the disastrous result of a false construction of the constitution on this subject. The sinking fund would thus have to be continued as long as time lasts, or as long as the government shall endure, because the school fund can never be *paid—paid* is the word, as used in said 34th section—*pay* the school fund! How *pay* it? Can you tell? No. *Pay* a public *fund* of legal creation, due to no person or body corporate, created for *public purposes*, as matter of public policy!

The idea of such payment is a fiction of the brain. To whom *pay* it? who has a right to complain of a breach of faith, or of any *obligation* or *contract*, if it is not paid? No person whatever. Such a fund may be *increased*, or *reduced*, *weakened*, *impaired*, or *abolished* by the government, (were it not prohibited from so doing,) as its views may change with respect to what may or may not be sound public policy upon such subject; but it cannot be *paid*, because there is nothing to be paid—there is no medium of payment, and there is no person to whom payment can be made. But again: the constitution prohibits (I will not say the payment of this fund, for that idea is ridiculous) any interference with said fund whatever, except it authorizes investments to be made of additions thereto. After a specific statement of the amount and character of said school fund, the 1st section of the 11th article of the constitution provides that it "shall be held inviolate (that is, unhurt, uninjured, unbroken—see Webster) for the purpose of sustaining a system of common schools." The interest of said fund, its dividends or profits, and such other sums as may be produced by taxation for the purpose, must be applied to bear the expense of our system of education, and to no other purpose; but the fund itself shall be held *inviolate*—shall remain uninjured and unbroken. Of course the constitution prohibits the *payment*, *touching*, or *breaking* of this fund; for to pay it—were such a thing possible—would be to destroy it; for a payment of a debt discharges, extinguishes, wipes out, and destroys the debt itself—it cancels and makes null and void, and of no effect, the contract or obligation of indebtedness. So, to *pay* a debt, or a public fund, such as the school fund—were not such an idea an absurdity in itself—would extinguish both, and leave neither debt or fund remaining in existence; and consequently, the *payment* of the school fund would extinguish it, break it, and not only injure it, but utterly destroy it, though the constitution says, in so many words, that this shall not be done. Hence it follows that the words *state debt*, or *debt of the state*, as used in the said 34th section of 2d article of the constitution, and which is therein required to be paid, has reference alone to those debts or bonds held by persons or chartered associations, and not at all to the school fund.

The constitution made the school fund that then existed, in its then *precise shape* and *character*, with such additions to it as might be subsequently made, *inviolate*, and not subject to be injured or broken. Now, suppose that part of the school fund, to-wit: $1,225,768 42—which is not an investment of actual capital in stocks of any sort, but which is spoken or enacted into existence by legal and constitutional provisions, as a perpetual and inviolable fund—I say, suppose this said part of said fund should be abolished and extinguished by an act of the legislature, which act should at the same time provide the ways and means to purchase an equal amount of bank stock, or of the bonds of other states or governments, and that such purchase should be actually made—such an arrangement would be wholly unauthorized by, and a gross violation of, the constitution. For this would not be holding the existing fund inviolate, but would be destroying it, and creating a new and different fund, much less stable, certain, and secure than the above named portion of the existing fund; because, our people would have to depend—for the safety of the capital, and for the prompt payment of the interest of such new created fund—upon the good faith and sound financial condition of other governments, over which they would have no such control as they have over their own, or upon the solvency and integrity of irresponsible chartered associations, whose existences are liable to be determ ned by violations or terminations of their charters; by bankruptcy, and by the fraudulent conduct or gross mismanagement of either dishonest or unskillful officers.

It is a universal rule of interpretation of constitutions, laws, or written documents, that where an ambiguity exists, so as to produce doubt as to the meaning of one or more clauses therein, they should receive such construction as to produce harmony, consistency, and avoid contradiction between its several parts.

Now, the legislative construction of the sections of the new constitution referred to, disregards and violates this rule; so that the two sections above named cannot stand together, but contradict each other in two most important particulars, to-wit: If the words "state debt," or "debt of the state," includes in the scope of their signification the "school fund," then the one section directs, in substance, that it shall be *abolished*—for, to pay a debt is to extinguish, to *abolish* it; and the other section positively directs that said school fund shall not be abolished or extinguished; in other words, shall not be paid, but that it shall be held forever inviolate. This is one contradiction. The one section provides, by means of the sinking fund, to pay the interest on the school fund; the other subsequent section, positively directs and commands the legislature to provide by law—thereafter to be enacted, of course—for the payment of this interest on the school fund, as if the section preceding had not already made such provision—which is another most absurd contradiction. But again: this erroneous construction results in this further absurdity—that the constitution has made it impossible that the sinking fund should ever be diminished or discontinued, though the whole of the debts of the state should be paid, the school fund—if they will call it a debt—excepted; for I suppose that none have the hardihood to contend that the school fund can be abolished or extinguished by the legislature. If not, then if you concede that it is a debt, and embraced in the provisions of said 34th section of the said 2d article, then as the sinking fund would be charged with its interest forever, said sinking fund must, with all its burthens, exist and be supported by the people forever.

These absurdities and contradictions result from such erroneous construction of these sections of the constitution, and from an unauthorized departure from the imperative rule of interpretation above referred to. Another rule of interpretation is, that you must collect the meaning and intention of law-givers from the written law itself—from a reasonable and common-sense understanding of the language used in its enactment. It will not do to suffer the true, obvious, and reasonable import of the words and phraseology used, to yield and give way to the verbal declarations of the law-givers, whether uttered before or after the enactment of the law; for this would make the constitution—which is the fundamental law of a great community, and which is intended to be a written stereotyped, stable, and unchangeable document—depend for its meaning, and for a correct understanding and due execution of provisions, upon the very imperfect judgments, frail memories, and corruptible integrity of men who would differ among themselves in understanding as in recollection, and who might be induced, by a variety of motives, to attempt to pervert and alter what had been done, to suit their own or party purposes. Hence, what gentlemen, members of the convention, may now profess was their understanding, meaning, and intention, in the adoption of the said two sections of the constitution, amounts to nothing, if not consistent with the plain letter and spirit of those sections, as framed and inserted in the instrument. It cannot now be helped, if, through ignorance or mistake, they have done what they did not intend to do. The thing done is now the supreme law of the land, ratified and adopted by the people, as it *was* made, and with its provisions as they are written and composed, and not as it may or may not have been intended to mean this, that, or the other thing, by this, that, or the other member of the convention.

The legislature, of course, cannot enact a law violative of the constitution; if they do, such law is a mere nullity, and the commissioners of the sinking fund would not be bound by it.

You ask my opinion as to whether the said commissioners would be personally liable to the creditors of the state, if they should obey a legislative direction, in violation of the constitution, to pay the interest on the school fund out of the sinking fund resources? In answer, I willsay this: that it is a well known rule of the common and civil law, sustained by, I believe, the supreme courts of all the

states of this Union, of the United States, and of England, that executors, administrators, and other trustees of every description, who accept the trusts with which they are invested, either by operation of law, or by deed or last will and testament, who are charged with means, assets, or trust funds, to be administered by them as directed by law or by the instruments of their appointment, are held personally responsible, and their individual estates liable for any abuse of their trust powers, for any wasting or unauthorized, improper, or illegal appropriation of the trust means or funds in their hands; and as such trustees, accepting such trusts, are bound to know their duties, the extent of their powers, and their legal rights and obligations. This responsibility would attach to them and their estates, whether the abuse of their trust and the misapplication of the trust funds, as above stated, resulted from their ignorance and mistake, or from design, and with fraudulent intent. Then, if so, the commissioners of the sinking fund, who, as a chartered, corporate body, can sue and be sued, if they pay any part of the sinking fund to meet the interest on the school fund, in violation of the constitution of the state—I care not by what or whose direction, as it would be an abuse of their powers as trustees, and an illegal application of the trust funds in their hands—they would bring themselves within the principle of the rule of law above stated, and would become responsible personally, and their estates would be held liable to the public creditors for all injury which might accrue to them; and, as I understand the said commissioners entertain no doubt as to their powers and duties, as prescribed in the new constitution, which is to apply the entire sinking fund to the payment of the interest and principal of the state debt held by the public creditors, who have a right to demand and to receive such payment, they would not have the excuse of mistake or ignorance—feeble as it is—to screen them, either from legal responsibility or public indignation. Such is the law, in my *opinion*, if correctly administered; but law is one thing, and its administrative application, through the instrumentality of courts, is another. What the courts may do in the event the question was brought up in the form of a legal proceeding between a public creditor and the aforesaid commissioners, in order to make them personally liable, and the said commissioners should rely upon a legislative direction as their excuse—I say, what the courts would do it is impossible for me, with any certainty, to predict.

According to the 34th section of the 2d article of the constitution, the legislature is authorized to abolish the sinking fund, after the state debt therein named, with its interest, is all paid; for the constitutional prohibition to diminish or to discontinue said fund extends or endures only "*until*" said interest and principal of the said debt is fully paid, and *then* it becomes wholly inoperative. Well then, if the sum of $1,225,768 42—it being nearly the whole amount of said school fund—is a part of said state debt, and to be paid; as is provided in said section when it is paid, the legislature, as before stated, will then be at liberty to abolish the whole sinking fund; and consequently, as it is insisted that the interest of the school fund, or in other words, that the means to support our system of public instruction are charged upon said sinking fund, our common school system might be altogether deprived of the means to maintain and support it, at the discretion of the legislature. Who can avoid perceiving that such erroneous construction of said 34th section would make it wholly inconsistent with the 1st section of the 11th article, in which the school fund is made inviolate and the legislature commanded to make an independent and permanent provision, by law, for the payment of the interest thereon.

With due respect and consideration, I remain, your friend and servant,

ELIJAH HISE.

Opinion of W. K. WALL, ESQ.:

GOVERNOR HELM.—DEAR SIR: From a hasty perusal of your special message to the general assembly, and of the response or argument of the superintendent of public instruction, invoked by the senate, called his special report, I find you engaged in a controversy, from which, if you escape with whole bones, even with the advantage of truth on your side, you may be regarded as peculiarly fortunate. At this day, when the subject of common schools has become the favorite theme of all, and especially of politicians and aspirants for office, and when there are *ten thousand and one* candidates in the field—he must be a bold man who, even in the discharge of his public duties, can venture an opinion, however honestly entertained, which can by any means be tortured into any thing like opposition or hostility to that popular system. Into this hostile and odious position you are, I fear, destined to be thrown in this contest—held up before an excited public as the chief magistrate of a great commonwealth, setting yourself zealously to prove certain facts, and engaged in propagating sentiments and opinions which, if indorsed by the general assembly, must result in the destruction of the great cause of common school education in Kentucky.

Standing in the category of contemptuous enemies of free schools, those who have often betrayed this great cause which has so long baffled the hopes of the people, and who are now threatening it with ruin at the very moment of its first great triumph, your friends, although they know you to be the fast friend of common school education, and have seen nothing in your message to justify a different conclusion, can scarcely hope, with such fearful odds against you, that you will be able to vindicate yourself against the imputation of unmitigated hostility to that institution—at least until after the elections are over. Claiming for myself an entire exemption from all popular influence, having no political aspirations to gratify, and, like the honorable superintendent, "expecting nothing, and fearing nothing," I therefore feel at liberty to declare, and do so in all candor—with due deference, however, to the opinions of otherst—hat your views, as expressed in your special message in relation to the question at issue, are correct, and can be sustained. In coming to this conclusion, I have found it necessary to look to the origin and history of this common school fund, which, with its interest, is claimed to be a part of the state debt, and, as such, a charge upon the sinking fund. On the fourth page of the superintendent's report, he says: "By an act, approved the 23d of February, 1837, chapter 452, section 9, $1,000,000, afterwards reduced to $850,000, of the surplus revenue deposited with the state by the federal government, was set apart, and forever dedicated to founding and sustaining a general system of public instruction," &c., and on the fourteenth page of his report, he says: "The state gave the money to the board, the nation had before given it to the state," &c. Now, sir, if I am capable of understanding the plain import of language, the statutes relied on do not warrant the statement that any such dedication was ever made by the state to the board of education. The 9th section of the statute of 1837, quoted, or rather misquoted, (unintentionally, no doubt,) by the superintendent, reads in these words: "The profits arising from $1,000,000 of the surplus revenue of the United States, deposited, or to be deposited with this state by virtue of the act of congress, of the 11th of June, 1836, be and dis hereby set apart, and forever dedicated," &c., and by the act to establish a system of common schools, approved the 16th day of February, 1838, it is provided, "that the interest upon $850,000 of the fund set apart by the commissioners of the sinking fund, under the provisions of an act approved the 23d of February, 1837, and all moneys and other property hereinafter provided for, or which may hereafter be appropriated to the use of common schools, shall be and the same is hereby constituted a common school fund for the state of Kentucky." So that neither the

$1,000,000 named in the first recited act, or the $850,000 in the second, was set apart and dedicated to founding and sustaining a general system of public instruction. It was the *proffit or interest* alone, arising upon this fund, and not the fund itself, that was set apart and dedicated to common school purposes. A very different disposition was made of the surplus revenue fund, as may be seen by reference to the third section of the aforesaid act of 1837. By the first and second sections of that act, authority is given to the governor to subscribe, on behalf of the state, for stocks in the Bank of Louisville, and in the Northern Bank, and Bank of Kentucky, and to pay for them with the surplus revenue of the United States to be deposited with this state. The third section is in these words: "That the stocks paid for with the surplus money, as provided in the preceding sections, shall be, and are hereby set apart and pledged as a fund for the re-payment to the treasury of the United States the surplus revenue which shall be deposited with this state." Thus we see that both principal and interest of this surplus revenue fund have been disposed of by the same statute: the one set apart and pledged for the re-payment of the original deposit to the treasury of the United States; the other set apart and dedicated as a common school fund.

With these statutes before me, I cannot perceive even a plausible pretext on the part of the board of education for claiming the $850,000 as a debt due to it from the state, or any thing beyond the interest which has accrued upon that fund. If that fund constitutes a debt against the state, it is a debt to the general government, and not to the board of education. That it is a debt to the general government, none, I presume, will deny, who will be at the trouble to read the act of congress of the 11th June, 1836, called the deposit act. If, then, it be also a debt to the board, as is contended, we have the singular fact before us, that the state owes the identical same fund to two distinct creditors at the same time. Yet, on this unfounded assumption of the ownership of that fund by the board of education, seems to be based most of the arguments running through the special report. On the 15th page of that report, the question is asked: "Suppose the sinking fund had originally invested the $850,000 *of the board of education* in bank stock, instead of state bonds. If the state had taken that bank stock and used it without at the same time giving the board of education its fair value in some way, would it not have been an act of open confiscation?" Certainly it would not; and simply for the reason that the bank stock thus used would not have been the property of the board of education—and all the board could have complained of, in such an event, would have been the withholding of the interest or profits of that stock, by the state, if so done, that being all that had ever been dedicated to the board, and all to which it could have set up any color of claim.

With regard to the bonds of the state given to the board of education, since the burning of those in 1845, (of which act so much groundless complaint has been made,) I agree with the superintendent, that the obligation thereby imposed upon the state to the board of education, has not been changed, but stands precisely as it did before the burning took place. On page 14 of his report, he says: "To every possible intent, legal and moral, these bonds must stand precisely as they did before they were burned * * * *." Every thing stands where it did. This being the case, then, every thing stands as it was left by the statutes of 1837 and 1838. The $850,000 vested in stocks or scrip, set apart and pledged to the general government; the interest or profits thereof set apart and dedicated to the use of common schools, I cannot, therefore, by any fair process of reasoning, bring my mind to the conclusion that this fund of $850,000, claimed as the principal of the debt due and owing by the state to the board of education, ever belonged to that board. The interest, therefore, which has accrued upon that fund, being all, in my opinion, to which the board can set up any pretence of claim. The only question to be settled is, was it intended by the framers of the constitution, that this interest should be a charge upon the sinking fund, and so continue until both *princi-*

pal and interest should be paid off, according to the 34th section, 2d article of the constitution? or did they mean, what the 1st section of the 11th article declares, that "the general assembly *shall* make provision for paying the interest upon said school fund?" Upon what school fund? Certainly upon that named in the preceding part of the section—the first item of which comprises the $850,000 fund as part of the capital called and known as the common school fund, and upon which this interest must accrue—the payment of which they say *shall* be provided for by the general assembly. The payment of this interest, or provision for its payment, being made imperative upon the general assembly, how can it possibly devolve upon the sinking fund? In no way that I can conceive of, unless the provision to be made by the legislature for paying the interest only, means that they should provide that the commissioners of the sinking fund shall pay it—the very thing the convention itself had done by the constitution, if this be a state debt. To indulge such a supposition, would be doing manifest injustice to the convention. It is not reasonable to presume that the convention intended to make both principal and interest a debt chargeable upon the sinking fund, and then, in the face of that intention, make the payment of the interest to depend upon the provision to be made for it by the general assembly. But is this school fund really and in truth a debt? and if so, to whom due and owing? The idea that, if a debt, it is due from the state to herself, is perhaps more easily ridiculed than refuted. The existence of a debt implies the existence of a creditor as well as a debtor. That creditor is said, in this case, to be the board of education. And who or what is the board of education? Nothing more or less than the agent of the state, constituted by the state for the performance of the business of the state in the department of education, and dependent upon the state for every hour of its existence—subject itself, with all of its resources, to the control of the state, so far as its corporate functions and effects are concerned. Suppose the sinking fund had vested the $850,000 in bank stock, or in any other, and that stock had proved to be unproductive, will it be contended that, by dedicating that stock to common school purposes, and placing it in the hands of her own agent—her board of education—that the state thereby lost all control over that fund, and would be compelled to submit to her bad bargain? If this were to be the case, then the state had better dispense with all such auxiliaries, and perform her own business in her own way.

I have, sir, in a crude and undigested form, given you, to a limited extent, the result of my reflections, upon a hasty examination of the questions at issue, and trust that, upon a "sober second thought," much of the opposition with which you now have to contend, will subside and disappear.

Very respectfully, your obedient servant,

W. K. WALL.

I ask a consideration of the foregoing reasons and opinions, due to the importance of the questions involved. May I not especially call your attention to the legal opinion of eminent legal abilities, to the effect that the commissioners, or disbursing officers, are liable, if the funds shall be misapplied? I know there are none of you who would desire your public functionaries involved in so great a responsibility, especially those who have so long and so faithfully served the state, and contributed so much to the preservation of its honor, without compensation. May I not respectfully appeal to you, with some hope of success, to seriously consider whether it is not your imperative duty to refer this matter to the judiciary?

I am free to confess I feel more than ordinary zeal for the fate of this question. I can claim to be one of the founders of the sinking fund. I have watched it with that care which would be given by a faithful public sentinel. I have the consolation to know, that through its instrumentality, the public honor and integrity of the state have been preserved; and, now that I am about to retire from the public service, and see this financial scheme so strenghthened as to give almost positive assurances that the public debt will be paid without taxation, I cannot restrain a feeling of deep mortification to see, as I humbly conceive, my own and the hopes of the country dissipated, for the payment of the public debt, without a resort to onerous taxation, or an extension of a heavy debt, the payment of the interest of which will be a heavy drain upon the labor of the country.

A sense of duty to the country obliges me to withhold my assent.

Most respectfully, JOHN L. HELM.

MARCH 12, 1851.

Mr. Hanson moved the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	John G. Gooch,	Joel Murphy,
James M. Alexander,	Alfred F. Graham,	Benjamin L. Owens,
James B. Allen,	William M. Gray,	Joel Owsley,
William S. Black,	Norvin Green,	Thomas Y. Payne,
Carlo B. Brittain,	Wm. M. Green,	Edward C. Purdy,
Robert H. Campbell,	Thomas S. Grundy,	Burwell C. Ritter,
George T. Campbell,	Samuel Hanson,	John Rodman,
Henry R. D. Coleman,	P. B. Hawkins,	C. C. Rogers,
John W. Cook,	Samuel B. Jesup,	Joseph W. Rowlett,
Asbury Dawson,	Daniel Landes,	John Shawhan,
Lucius Desha,	Peter Lashbrooke,	Albert G. Talbott,
Joseph Dougherty,	Andrew S. Linn,	Ambrose H. Talbott,
Alvin Duvall,	George W. Mansfield,	William T. Terrill,
Robert English,	Daniel Matthewson,	John Tompson,
Richard H. Field,	Hiram McElroy,	William T. Ward,
Edgar B. Gaither,	James P. Metcalfe,	Elisha F. Wells,
Squire Gatliff,	Strother D. Mitchell,	G. W. Williams, of B.
Cyrenius W. Gilmore,	Morton P. Moore,	Marcus L. Williams—56.
Jacob S. Golladay,	George H. Morrow,	

Those who voted in the negative, were

William W. Alexander,	Edward F. Dulin,	William C. Marshall,
Robert A. Athey,	Bernard H. Garrett,	John S. McFarland,
R. T. Baker,	Samuel L. Geiger,	William Preston,
William Bradley,	William H. Grainger,	Thomas W. Riley,
George I. Brown,	Lysander Hord,	George W. Silvertooth,
George P. Brown,	George W. Kavanaugh,	Jesse S. Taylor,

John B. Bruner, Preston H. Leslie, Thomas Todd,
Wm. H. Calvert, Joseph H. Lewis, James T. Woodward—26.
Winston J. Davie, Caleb W. Logan,

The main question was then put—"shall the bill pass, the Govornor's objections to the contrary notwithstanding?" and it was decided in the affirmative.

The yeas and nays being taken thereon in accordance with the Contitution, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander, John G. Gooch, George H. Morrow,
Wm. W. Alexander, Alfred F. Graham, Joel Murphy,
James B. Allen, William M. Gray, Benjamin L. Owens,
John B. Arnold, Norvin Green, Joel Owsley,
Robert A. Athey, William M. Green, Thomas Y. Payne,
William S. Black, Thomas S. Grundy, Edward C. Purdy,
Carlo B. Brittain, George M. Hampton, Burwell C. Ritter,
George R. Burgess, Samuel Hanson, John Rodman,
Robert H. Campbell, P. B. Hawkins, C. C. Rogers,
George T. Campbell, Samuel B. Jesup, Joseph W. Rowlett,
Henry R. D. Coleman, Samuel A. Kingman, John L. Sallee,
John W. Cook, Daniel Landes, John Shawhan,
Asbury Dawson, Peter Lashbrooke, George W. Silvertooth,
Lucius Desha, Preston H. Leslie, Albert G. Talbott,
Joseph Dougherty, Andrew S. Linn, Ambrose H. Talbott,
Alvin Duvall, George W. Mansfield, Wm. T. Terrill,
Richard H. Field, Daniel Matthewson, John Tompson,
Edgar B. Gaither, Hiram McElroy, William T. Ward,
Bernard H. Garrett, JamesP. Metcalfe, Elisha F. Wells,
Squire Gatliff, Strother D. Mitchell, George W. Williams, of B.
Samuel L. Geiger, Morton P. Moore, Marcus L. Williams—64.
Cyrenius W. Gilmore,

Those who voted in the negative, were

Mr. Speaker, (Johnston,) Edward F. Dulin, John S. McFarland,
R. T. Baker, Robert English, Wm. B. Murphy,
William Beeler, Jacob S. Golladay, William Preston,
William Bradley, William H. Grainger, Thomas W. Riley,
George I. Brown, Lysander Hord, Jesse S. Taylor,
George P. Brown, George W. Kavanaugh, Thomas Todd,
John B. Bruner, Joseph H. Lewis, G. W. Williams, of H.
Wm. H. Calvert, Caleb W. Logan, James T. Woodward—26.
Winston J. Davie, William C. Marshall,

Mr. McFarland moved the following resolution, viz:

Resolved, that one hundred copies of the act authorizing the changes of venue in criminal cases be forthwith printed; and that the Secretary of State transmit one copy to the Clerk of the several Circuit Courts in each county.

Which was adopted.

The House took up the bill for the benefit of the Kentucky Deaf and Dumb Asylum.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fourteen hundred dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the use and benefit of the Kentucky Deaf and Dumb Asylum at Danville, to be expended in building an additional story on the ell part of the building set apart for the female department of said Institution, and a two story porch on the south side of and the entire length of said ell.

§ 2. That the said sum of money be paid over to the Trustees of the Centre College of Kentucky, to be applied as directed in the first section: *Provided*, the Second Auditor shall not draw his warrant therefor until a bond shall be executed by the Trustees of said College of Kentucky, with good and sufficient security, to be approved of by the County Court of Boyle county, in the penalty of twenty-five hundred dollars, payable to the Commonwealth of Kentucky, conditioned for the faithful application of the money hereby appropriated according to the provisions of this act; which bond shall be certified to the Second Auditor.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill, having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being taken thereon in accordance with the Constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	James P. Metcalfe,
James M. Alexander,	Alfred F. Graham,	William B. Murphy,
Robert A. Athey,	Wm. H. Grainger,	Wm. Preston,
R. T. Baker,	Norvin Green,	Edward C. Purdy,
George I. Brown,	Samuel Hanson,	Burwell C. Ritter,
George P. Brown,	P. B. Hawkins,	John Rodman,
William H. Calvert,	Lysander Hord,	C. C. Rogers,
Robert H. Campbell,	George W. Kavanaugh,	Albert G. Talbott,
George T. Campbell,	Samuel A. Kingman,	Thomas Todd,
Winston J. Davie,	Joseph H. Lewis,	William T. Ward,
Edward F. Dulin,	Caleb W. Logan,	G. W. Williams, of B.
Alvin Duvall,	William C. Marshall,	Marcus L. Williams,
Edgar B. Gaither,	John S. McFarland,	James T. Woodward—40.
Cyrenius W. Gilmore,		

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Joel Murphy,
John B. Arnold,	Samuel L. Geiger,	Benjamin L. Owens,
William Beeler,	John G. Gooch,	Joel Owsley,
Wm. S. Black,	William M. Gray,	Thomas Y. Payne,
Wm. Bradley,	William M. Green,	Thomas W. Riley,
Carlo B. Brittain,	Thomas S. Grundy,	Joseph W. Rowlett,
John B. Bruner,	Samuel B. Jesup,	John L. Sallee,
Henry R. D. Coleman,	Daniel Landes,	John Shawhan,
John W. Cook,	Peter Lashbrooke,	George W. Silvertooth,

Asbury Dawson,	Preston H. Leslie,	Ambrose H. Talbott,
Lucius Desha,	Andrew S. Linn,	Jesse S. Taylor,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Robert English,	Daniel Matthewson,	John Tompson,
Richard H. Field,	Hiram McElroy,	Elisha F. Wells—44.
Bernard H. Garrett,	George H. Morrow,	

An engrossed bill, entitled, an act to fix the salary of the Clerk of the Court of Appeals, and to direct the fees of his office to be paid into the Treasury, was read the third time.

And the question being taken on the passage of said bill, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Leslie and Arnold, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Squire Gatliff,	James P. Metcalfe,
William Beeler,	Jacob S. Golladay,	Joel Murphy,
Wm. Bradley,	John G. Gooch,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Joel Owsley,
G. T. Campbell,	Wm. M. Green,	Edward C. Purdy,
Henry R. D. Coleman,	Thomas S. Grundy,	Joseph W. Rowlett,
Winston J. Davie,	George W. Kavanaugh.	George W. Silvertooth,
Asbury Dawson,	Samuel A. Kingman,	John Tompson,
Lucius Desha,	Joseph H. Lewis,	Elisha F. Wells,
Joseph Dougherty,	George W. Mansfield,	G. W. Williams, of B.
Edward F. Dulin,	Daniel Matthewson,	James T. Woodward—35.
Bernard H. Garrett,	Hiram McElroy,	

Those who voted in the negative, were

James M. Alexander,	Samuel L. Geiger,	Morton P. Moore,
JohnB. Arnold,	Cyrenius W. Gilmore,	George H. Morrow,
Robert A. Athey,	Alfred F. Graham,	William B. Murphy,
R. T. Baker,	William H. Grainger,	Thomas Y. Payne,
Wm. S. Black,	Wm. M. Gray,	Wm. Preston,
George I. Brown,	Samuel Hanson,	Thomas W. Riley,
George P. Brown,	P. B. Hawkins,	Burwell C. Ritter.
John B. Bruner,	Lysander Hord,	John Rodman,
G. R. Burgess,	Samuel B. Jesup,	C. C. Rogers,
Wm. H. Calvert,	Daniel Landes,	John Shawhan,
Robert H. Campbell,	Peter Lashbrooke,	Ambrose H. Talbott,
John W. Cook,	Preston H. Leslie,	Jesse S. Taylor,
Alvin Duvall,	Andrew S. Linn,	Wm. T. Terrill,
Robert English,	Caleb W. Logan,	Thomas Todd.
Richard H. Field,	William C. Marshall,	Wm. T. Ward,
Edgar B. Gaither,	Strother D. Mitchell,	Marcus L. Williams—48.

A bill from the Senate, entitled, an act to amend the exemption laws, was read the third time.

Mr. Leslie moved the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Black, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	William M. Gray,	Thomas Y. Payne,
James M. Alexander,	Norvin Green,	William Preston,
James B. Allen,	Thomas S. Grundy,	Edward C. Purdy,
John B. Arnold,	Samuel Hanson,	John Rodman,
Robert A. Athey,	P. B. Hawkins,	C. C. Rogers,
R. T. Baker,	Lysander Hord,	Joseph W. Rowlett,
William Bradley,	Samuel B. Jesup,	John L. Sallee,
George I. Brown,	George W. Kavanaugh,	John Shawhan,
William H. Calvert,	Samuel A. Kingman,	George W. Silvertooth,
Robert H. Campbell,	Daniel Landes,	Albert G. Talbott,
Henry R. D. Coleman,	Peter Lashbrooke,	Ambrose H. Talbott,
Winston J. Davie,	Joseph H. Lewis,	Jesse S. Taylor,
Lucius Desha,	Andrew S. Linn,	Wm. T. Terrill,
Joseph Dougherty,	George W. Mansfield,	Thomas Todd,
Alvin Duvall,	Hiram McElroy,	William T. Ward,
Robert English,	John S. McFarland,	Elisha F. Wells,
Richard H. Field,	James P. Metcalfe,	G. W. Williams, of B.
Edgar B. Gaither,	Strother D. Mitchell,	G. W. Williams, of H.
Samuel L. Geiger,	Morton P. Moore,	Marcus L. Wiillams,
John G. Gooch,	Joel Owsley,	James T. Woodward—60.

Those who voted in the negative, were

William S. Black,	Squire Gatliff,	William C. Marshall,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Daniel Matthewson,
George P. Brown,	Jacob S. Golladay,	George H. Morrow,
George R. Burgess,	Alfred F. Graham,	Joel Murphy,
George T. Campbell,	William H. Grainger,	Benjamin L. Owens,
Asbury Dawson,	William M. Green,	Burwell C. Ritter,
Edward F. Dulin,	Preston H. Leslie,	John Tompson—23.
Bernard H. Garrett,	Caleb W. Logan,	

Resolved, That the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, reported a bill repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services, which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, all laws authorizing allowance for *ex officio* services, to be made out of the public treasury or the county levy to clerks of courts and sheriffs, shall be and the same are hereby repealed.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Moore and Burgess, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Squire Gatliff,	Benjamin L. Owens,
William W. Alexander,	Cyrenius W. Gilmore,	Joel Owsley,
James B. Allen,	Jacob S. Golladay,	Thomas Y. Payne,
John B. Arnold,	John G. Gooch,	Edward C. Purdy,
William S. Black,	Alfred F. Graham,	Burwell C. Ritter,
William Bradley,	Wm. H. Grainger,	John Rodman,
John B. Bruner,	William M. Gray,	Joseph W. Rowlett,
George T. Campbell,	Norvin Green,	John L. Sallee,
Henry R. D. Coleman,	Thomas S. Grundy,	John Shawhan,
John W. Cook,	Samuel Hanson,	George W. Silvertooth,
Winston J. Davie,	Samuel B. Jesup,	Albert G. Talbott,
Asbury Dawson,	George W. Kavanaugh,	Ambrose H. Talbott,
Lucius Desha,	Daniel Landes,	Jesse S. Taylor,
Joseph Dougherty,	Peter Lashbrooke,	William T. Terrill,
Edward F. Dulin,	Preston H. Leslie,	Thomas Todd,
Alvin Duvall,	Andrew S. Linn,	John Tompson,
Robert English,	Daniel Matthewson,	William T. Ward,
Richard H. Field,	James P. Metcalfe,	Elisha F. Wells,
Edgar B. Gaither,	George H. Morrow,	Marcus L. Williams—57.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	William M. Green,	Strother D. Mitchell,
Robert A. Athey,	P. B. Hawkins,	Morton P. Moore,
R. T. Baker,	Lysander Hord,	Joel Murphy,
Carlo B. Brittain,	Joseph H. Lewis,	C. C. Rogers,
George R. Burgess,	Caleb W. Logan,	G. W. Williams, of H.
Samuel L. Geiger,	John S. McFarland,	James T. Woodward—18.

Resolved, That the title thereof be as aforesaid.

Mr. Hanson, from the same committee, reported a bill authorizing any Clerk, Police Judge, or Justice of the Peace, to grant injunctions, which was read the first time.

On motion of Mr. Ward,

Ordered, That said bill be laid on the table.

The following bills were reported by the committee on the Judiciary, to-wit:

A bill regulating the terms of the Clarke and Madison County Courts.

A bill to provide for the election of a Police Judge in the town of Richmond.

A bill for the benefit of turnpike roads in Lincoln county.

A bill to authorize Constables in Louisville and certain districts in certain counties to appoint deputies.

A bill to amend an act, entitled, an act to incorporate the School of Dental Surgery, approved March 7, 1850.

A bill to amend an act, entitled, an act to incorporate the town of Neetsville.

A bill to incorporate the Cynthiana Hotel Company.

A bill to authorize the Judge of the Scott Circuit Court to sign certain records.

A bill to amend the act incorporating the town of Mayslick.

A bill to incorporate the Neptune Fire Engine and Hose Company, of Maysville.

A bill supplemental to an act, entitled, an act to incorporate the Lexington Savings Institution, approved February 10, 1851.

A bill to authorize the Chairman of the Board of Trustees of Paris to try misdemeanors in the breach of town ordinances.

A bill for the benefit of the heirs of D. W. Holeman, deceased.

A bill concerning the establishment of ferries.

A bill more effectually to protect the rights of persons holding an interest in slaves in reversion or remainder.

A bill concerning the books and records of Justices of the Peace.

A bill to legalize the subscription of stock by the Franklin County Court, in the Stamping Ground and Frankfort Turnpike Road Company, and to authorize the city of Frankfort to take stock in said road.

A bill to amend the charter of the Newtown and Leesburg Turnpike Road Company

A bill authorizing the Chancellor of the Louisville Chancery Court to direct certain streets and alleys in Shippingsport to be closed.

A bill prohibiting the sale of liquor or goods to the students in the Kentucky Military Institute.

A bill in relation to the Marshal of the city of Frankfort.

A bill to increase the powers of administrators with the will annexed.

Which were read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hord, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Louisville and Frankfort Railroad Company, reported the same with amendments, which were concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hord, from the same committee, to whom was referred bills from the Senate of the following titles, to-wit:

An act to incorporate the Waidsboro' and Marshall County Seminary.

An act to reduce into one the several acts concerning the town of Campbellsville, in Taylor county.

An act to incorporate the Baptist Church of Bedford, Trimble county.

An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.

An act legalizing the proceedings of the Owsley County Court.

An act to amend the charter of the city of Augusta.

An act for the benefit of the children of David and John Hogan.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act for the benefit of Elizabeth C. Flournoy, of McCracken county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

THURSDAY, MARCH 20, 1851.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House to bills from the Senate, of the following titles, viz :

An act defining the boundaries of the Magistrates' and Constables' Districts in Pulaski county.

An act to change the lines of a Magistrates' and Constable's District in Boone and Russell counties.

An act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such railroad company as may pass through said counties.

An act to fix the time of holding Circuit Courts in this Commonwealth.

That they had passed bills from this House of the following titles, viz:

An act to extend the limits of Magistrates' and Constable's District, No. 7, in Knox county.

An act for the benefit of Aaron Dawson, Edward McClure, and John L. McCann.

An act for the benefit of John M. Gallagher.

An act further to define the powers of the Trustees of Winchester, and extend the privileges of its citizens.

An act to incorporate the town of Raleigh.

An act to establish the town of Woodville, in the county of Mason.

An act to amend the charter of the Falls City Insurance Company, approved February 20, 1851.

An act to incorporate Hancock Lodge, No. 115, in Hancock county.

An act to amend the charter of the Lexington and Frankfort Railroad Company.

An act to incorporate Springhill Lodge, No. 139, at Crab Orchard.

An act for the benefit of William T. Dudley, Clerk of the Fleming County Court.

An act fixing the period of Clerks and others listing their fee bills for collection in the present year.

An act providing for the collection, by the Sheriffs elected in May next, of the revenue of the present year.

An act to legalize the proceedings of the Bracken County Court, at its October term, 1850.

An act to extend the limits of Independence, in Kenton county.

An act to establish the town of Lovelaceville, in Ballard county.

An act to establish a July term of the Wayne County Court.

An act concerning Magistrates' and Constables' Districts.

An act concerning Justices' and Constables' Districts in Monroe county.

An act to change the line between Districts Nos. 2 and 3, in Mercer county.

An act changing the boundaries of Justices' District No. 6, in Marion county.

An act to amend the Justices' District of Lewisburg, in the county of Mason.

An act to change a voting place and certain Magistrates' and Constables' Districts in Ohio county.

An act to change the boundary and place of voting in certain Magistrates' and Constables' Districts in Shelby county, and to provide for changing the voting place in Hopkins county.

An act to change certain districts in Spencer county.

An act changing the Justices' District in Muhlenburg county, and establishing an election precinct.

An act making Lafayette, in Christian county, a place of voting.

An act concerning certain Magistrates' and Constables' Districts in Lewis county.

An act to alter certain districts in Barren county.

An act to change the place of voting in District No. 3, in Simpson county; in District No. 5, in Woodford county; in District No. 8, in Breckinridge county; and in District No. 6, in Henderson county.

An act concerning districts for the election of Justices of the Peace and Constables, to authorize the establishment of an additional district, and to change a place of voting in one district in Caldwell county.

An act authorizing a change of the voting place in district No. 3, in Trimble county.

An act to amend the boundary of District No. 5, in Pendleton county.

An act establishing certain voting places in Harrison county.

An act to charter the city of Louisville.

An act for the benefit of School Districts in Cumberland county.

An act to change the boundaries and place of voting in Magistrates' and Constable's District, No. 2, in Scott county, and the voting place of District No. 2, in Grant county.

An act to establish an additional Magistrates' and Constable's District in Nelson county.

With amendments to the last four named bills.

That they had passed bills of the following titles, viz:

An act prescribing the means and mode of opening and working roads in the county of Boone.

An act to establish an additional election precinct in Greenup county.

An act for the benefit of the 57th Regiment, in Garrard county.

An act concerning the Police Judge of the town of Hartford, in Ohio county.

An act to amend the act establishing the Morgantown Seminary.

An act in relation to the commissions of officers.

1. Mr. Todd presented the petitions of citizens of Shelbyville, praying a repeal of the act enlarging said town.

2. Mr. Sallee presented the petition of John McLain and Robinson Shelton, asking compensation for keeping a lunatic.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Claims.

An engrossed bill, entitled, an act to prescribe the duties of the Secretary of State, was read the third time.

An act for the benefit of Green Adams.

An act to allow John A. Hunt, of Laurel county, to vend goods, wares, and merchandise without license.

An act for the benefit of the Sheriff of Whitley county.

And bills which originated in the Senate, of the following titles, viz:

An act for the benefit of John G. Holloway.

An act in relation to the Goose Creek Turnpike Road, in Knox and Clay counties.

An act to repeal the fifth section of an act, entitled, an act to amend the charter of the city of Louisville, approved March 5, 1850.

An act to define the original corners of the town of Boston, in Whitley county.

An act for the benefit of School District No. 16, Kenton county.

An act authorizing an alley to be closed in the town of Portland.

An act to amend an act, entitled, an act for the benefit of William Smith, of Laurel county, approved March 7, 1850.

An act granting to the Marshal of Owenton, Owen county, the power and authority of a Constable.

An act changing an election precinct in Jefferson county.

An act for the benefit of the town of Russellville.

An act to incorporate the Springdale and Tollsburg Turnpike Road Company, in Mason and Lewis counties.

An act concerning the tax on licenses to coffee houses, taverns, and ten-pin alleys in the city of Louisville and county of Jefferson.

An act to incorporate the Greenville Mansion Hotel Company.

An act to incorporate the Paint Lick Presbyterian Church, in Garrard county.

An act providing a mode of forfeiture of the charter of the Logan, Todd, and Christian Turnpike Road Company, and the transfer of the interest of the State therein.

An act to incorporate the Deposit Bank of Danville.

An act allowing to the county of Warren one additional district for the election of Justices of the Peace and Constables.

An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Bills from the Senate, of the following titles, viz:

1. An act to authorize the Council of the city of Covington to create two additional voting precincts in said city.

2. An act for the benefit of Colonel R. T. P. Allen.

3. An act exempting every custom house, post office, court room, and other offices that may be erected within this Commonwealth, by the General Government, from taxation.

4. An act concerning coal mining in Hancock county.

5. An act for the benefit of C. N. Carden, Constable of Oldham county.

6. An act to incorporate the Washington Support and Health Insurance Company.

7. An act providing the mode for the prosecution of slaves for felony.

8. An act to incorporate the Big Bone Hotel Company.

9. An act to establish a levy and monthly County Court for Jefferson county.

10. An act to authorize the Grant County Court to lay an additional levy at their April or May term.

11. An act to incorporate the Mississippi and Nashville Railroad Company.

12. An act to authorize the county of Mercer and county of Boyle to subscribe stock in railroads, and other roads within said counties.

13. An act to incorporate the Newport and Licking Turnpike and Plank Road Company.

14. An act for the benefit of the Sheriff of Knox county.

15. An act to reduce into one the several acts concerning peddlers, and fixing the amount of tax to be paid by them.

16. An act in relation to the revenue.

17. An act for the benefit of A. W. Hamilton, and his securities, in a bond for public ams.

18. An act for the benefit of George J. Stockton, and his securities, in two bonds for public arms.

19. An act regulating the terms of the Butler and Edmonson Circuit Courts.

20. An act to amend the act establishing the Morgantown Seminary.

21. An act in relation to the commissions of officers.

22. An act concerning the Police Judge of the town of Hartford, in Ohio county.

23. An act for the benefit of the 57th regiment in Garrard county.

24. An act prescribing the means and mode of opening and working roads in the county of Boone.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, (except the 7th,) the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 20th, 21st, 22d, 23d, 24th, and 25th, were severally ordered to be read a third time, and the 19th was referred to the committee on Circuit Courts.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 20th, 21st, 22d, 23d, 24th, and 25th bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

An act to charter the Danville and Bardstown Railroad Company.

An act to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

An act to incorporate the Lexington, Harrodsburg, and Bowlinggreen Railroad Company.

An act to incorporate the Glasgow and Burksville Turnpike and Plank Road Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to incorporate the Newport Safety Fund Bank of Kentucky, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by Messrs. Coleman and Dawson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Strother D. Mitchell,
James M. Alexander,	Cyrenius W. Gilmore,	Wm. B. Murphy,
Wm. W. Alexander,	Jacob S. Golladay,	Benjamin L. Owens,
John B. Arnold,	John G. Gooch,	Thomas Y. Payne,
Robert A. Athey,	Alfred F. Graham,	William Preston,
R. T. Baker,	William H. Grainger,	Edward C. Purdy,
William Beeler,	Norvin Green,	Burwell C. Ritter,
John B. Bruner,	Thomas S. Grundy,	John Rodman,
George R. Burgess,	Samuel Hanson,	C. C. Rogers,
Robert H. Campbell,	P. B. Hawkins,	John L. Sallee,
George T. Campbell,	Lysander Hord,	George W. Silvertooth,

Alexander P. Churchill,
Winston J. Davie,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Richard H. Field,
Edgar B. Gaither,
Bernard H. Garrett,
Samuel B. Jesup,
Peter Lashbrooke,
Preston H. Leslie,
Joseph H. Lewis,
Andrew S. Linn,
Caleb W. Logan,
George W. Mansfield,
William C. Marshall,
Albert G. Talbott,
Ambrose H. Talbott,
Thomas Todd,
Elisha F. Wells,
G. W. Williams, of H.
Marcus L. Williams,
James T. Woodward—56.

Those who voted in the negative, were

James B. Allen,
William S. Black,
William Bradley,
Carlo B. Brittain,
George P. Brown,
Wm. H. Calvert,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Robert English,
William M. Gray,
William M. Green,
Daniel Landes,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Joseph W. Rowlett,
John Shawhan,
Wm. T. Terrill,
G. W. Williams, of B—23.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Hawkins—1. A bill for the benefit of Henry G. Mitchell and John Mitchell.

By the committee on the Judiciary—2. A bill authorizing the Circuit Courts to create certain corporations.

By Mr. A. H. Talbott—3. A bill to amend an act, entitled, an act to prevent the destruction of fish in Little Kentucky river.

By the committee on Privileges and Elections—4. A bill relative to Assessors of Tax.

By same—5. A bill to change the place of voting in Jamestown, in Campbell county.

By same—6. A bill to establish an additional election precinct in Jefferson county.

By same—7. A bill to provide for the election of a Police Judge and Marshal, in the town of Lawrenceburg, and changing the limits of said town.

By same—8. A bill requiring officers of this Commonwealth to execute official bonds, and prescribing the manner of such execution.

By same—9. A bill to authorize the Mayor and Council of the city of Louisville to provide for the times, places, and manner of holding the first election in 1851, under the charter of said city.

By same—10. A bill to establish two additional election precincts in Bullitt county.

By the committee on Claims—11. A bill for the benefit of Uriah G. Berry.

By same—12. A bill for the benefit of Philip Felton.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Jessup reported a bill for the benefit of the subscribers of the Logan, Todd and Christian Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being reguired thereon by Messrs. W. M. Green and Graham, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	William C. Marshall,
James M. Alexander,	John G. Gooch,	Hiram McElroy,
John B. Arnold,	Alfred F. Graham,	John S. McFarland,
Robert A. Athey,	William H. Grainger,	James P. Metcalfe,
R. T. Baker,	William M. Gray,	Morton P. Moore,
William Beeler,	Norvin Green,	Joel Murphy,
William Bradley,	Thomas S. Grundy,	William B. Murphy,
Carlo B. Brittain,	Samuel Hanson,	Benjamin L. Owens,
John B. Bruner,	P. B. Hawkins,	Joel Owsley,
George R. Burgess,	Lysander Hord,	Thomas Y. Payne,
George T. Campbell,	Samuel B. Jesup,	William Preston,
Henry R. D. Coleman,	Samuel A. Kingman,	Edward C. Purdy,
Winston J. Davie,	Daniel Landes,	Joseph W. Rowlett,
Asbury Dawson,	Peter Lashbrooke,	John L. Sallee,
Joseph Dougherty,	Joseph H. Lewis,	Ambrose H. Talbott,
Robert English,	Andrew S. Linn,	Wm. T. Terrill,
Edgar B. Gaither,	Caleb W. Logan,	Thomas Todd,
Cyrenius W. Gilmore,	George W. Mansfield,	John Tompson—54.

Those who voted in the negative, were

George I. Brown,	Samuel L. Geiger,	John Shawhan,
George P. Brown,	William M. Green,	George W. Silvertooth,
William H. Calvert,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Preston H. Leslie,	Elisha F. Wells,
Lucius Desha,	Daniel Matthewson,	G. W. Williams, of H.—17.
Richard H. Field,	Thomas W. Riley,	

Resolved, That the title thereof be as aforesaid.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act to provide for the payment of the unpaid orders of the School Commissioners, reported the same with amendments.

The first amendment was to strike out the word "not," in the proviso.

And the second amendment was to add to the bill the following proviso, viz:

Provided further, That the Superintendent of Public Instruction shall not hereafter draw his draft for a greater sum of money than the avails of the School Fund, due at the time of drawing.

Mr. Dulin called for a division of the question.

The question was first taken on the first amendment proposed by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. A. G. Talbott and Athey, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alvin Duvall,	John S. McFarland,
R. T. Baker,	Robert English,	Strother D. Mitchell,
Wm. Beeler,	Richard H. Field,	George H. Morrow,
William S. Black,	Edgar B. Gaither,	Joel Owsley,
William Bradley,	Samuel L. Geiger,	Burwell C. Ritter,
Carlo B. Brittain,	Jacob S. Golladay,	C. C. Rogers,
John B. Bruner,	John G. Gooch,	John L. Sallee,
Wm. H. Calvert,	William H. Grainger,	John Shawhan,
George T. Campbell,	William M. Gray,	Ambrose H. Talbott,
Alexander P. Churchill,	Lysander Hord,	Jesse S. Taylor,
Henry R. D. Coleman,	George W. Kavanaugh,	William T. Terrill,
John W. Cook,	Peter Lashbrooke,	Thomas Todd,
Winston J. Davie,	Preston H. Leslie,	Elisha F. Wells,
Asbury Dawson,	Joseph H. Lewis,	G. W. Williams, of B.
Lucius Desha,	Daniel Matthewson,	G. W. Williams, of H—47.
Joseph Dougherty,	Hiram McElroy,	

Those who voted in the negative, were

James M. Alexander,	Norvin Green,	Benjamin L. Owens,
James B. Allen,	Wm. M. Green,	Thomas Y. Payne,
Robert A. Athey,	Thomas S. Grundy,	Edward C. Purdy,
George P. Brown,	Samuel Hanson,	John Rodman,
George R. Burgess,	P. B. Hawkins,	Joseph W. Rowlett,
Edward F. Dulin,	Samuel A. Kingman,	George W. Silvertooth,
Bernard H. Garrett,	Daniel Landes,	Albert G. Talbott,
Squire Gatliff,	George W. Mansfield,	John Tompson,
Cyrenius W. Gilmore,	James P. Metcalfe,	Marcus L. Williams,
Alfred F. Graham,	Joel Murphy,	James T. Woodward—30.

The question was then taken on concurring in the second amendment proposed by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Taylor, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	Daniel Matthewson,
James M. Alexander,	Alvin Duvall,	Hiram McElroy,
John B. Arnold,	Robert English,	John S. McFarland,
R. T. Baker,	Edgar B. Gaither,	James P. Metcalfe,
William Beeler,	Bernard H. Garrett,	George H. Morrow,

Wm. S. Black,	Squire Gatliff,	Joel Murphy,
Wm. Bradley,	Samuel L. Geiger,	Joel Owsley,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Edward C. Purdy,
George P. Brown,	Jacob S. Golladay,	Thomas W. Riley,
John B. Bruner,	John G. Gooch,	John L. Sallee,
George R. Burgess,	Alfred F. Graham,	John Shawhan,
Wm. H. Calvert,	William H. Grainger,	Ambrose H. Talbott,
Robert H. Campbell,	Wm. M. Gray,	Jesse S. Taylor,
George T. Campbell,	Thomas S. Grundy,	Wm. T. Terrill,
Henry R. D. Coleman,	Lysander Hord,	Thomas Todd.
John W. Cook,	Samuel B. Jesup,	Elisha F. Wells,
Winston J. Davie,	George W. Kavanaugh.	G. W. Williams, of B.
Asbury Dawson,	Peter Lashbrooke,	G. W. Williams, of H.
Lucius Desha,	Joseph H. Lewis,	Marcus L. Wiillams,
Joseph Dougherty,	William C. Marshall,	James T. Woodward—60.

Those who voted in the negative, were

James B. Allen,	Samuel A. Kingman,	John Rodman,
Robert A. Athey,	Preston H. Leslie,	C. C. Rogers,
Norvin Green,	George W. Mansfield,	Joseph W. Rowlett,
Wm. M. Green,	Morton P. Moore,	Albert G. Talbott,
Samuel Hanson,	Thomas Y. Payne,	John Tompson—15.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Mr. Dulin moved to amend said bill by adding the following engrossed clause, by way of ryder, which is as follows, viz:

Provided, That the amount so appropriated shall be credited on the bond for $101,223 29, given by the state of Kentucky to the board of education, by direction of an act passed at the last session of the legislature; but the said credit and appropriation shall not exceed $50,000, and shall not be taken out of the accruing interest upon the school fund.

Mr. Payne moved to amend said bill by adding the following engrossed clause, by way of ryder, which is as follows, viz:

Provided, That the amount hereby charged to the school fund, shall not be taken out of the accruing interest falling due hereafter, but shall be deducted out of the interest included in the bond of $101,223 29, executed by the state of Kentucky to the board of education.

Mr. Payne moved the previous question, and it was decided in the affirmative.

The question was first taken on the amendment of Mr. Dulin, and it was decided in the negative.

The question was then taken on the amendment of Mr. Payne, and it was decided in the negative.

The question was then taken on the passage of said bill as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs W. M. Green and Ward, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alvin Duvall,	Caleb W. Logan,
James M. Alexander,	Robert English,	John S. McFarland,
James B. Allen,	Richard H. Field,	James P. Metcalfe,
R. T. Baker,	Samuel L. Geiger,	Strother D. Mitchell,
William Beeler,	Jacob S. Golladay,	Morton P. Moore,
Wm. S. Black,	John G. Gooch,	George H. Morrow,
Wm. Bradley,	Wm. H. Grainger,	Joel Murphy,
John B. Bruner,	William M. Gray,	Joel Owsley,
William H. Calvert,	Samuel Hanson,	Edward C. Purdy,
Robert H. Campbell,	Lysander Hord,	Burwell C. Ritter,
George T. Campbell,	Samuel B. Jesup,	John L. Sallee,
Henry R. D. Coleman,	George W. Kavanaugh,	Jesse S. Taylor,
John W. Cook,	Peter Lashbrooke,	Elisha F. Wells,
Asbury Dawson,	Preston H. Leslie,	G. W. Williams, of B.
Lucius Desha,	Joseph H. Lewis,	G. W. Williams, of H—47.
Joseph Dougherty,	Andrew S. Linn,	

Those who voted in the negative, were

Carlo B. Brittain,	Thomas S. Grundy,	Joseph W. Rowlett,
George P. Brown,	P. B. Hawkins,	John Shawhan,
George R. Burgess,	Samuel A. Kingman,	George W. Silvertooth,
Edward F. Dulin,	Daniel Landes,	Albert G. Talbott,
Bernard H. Garrett,	George W. Mansfield,	William T. Terrill,
Squire Gatliff,	Daniel Matthewson,	John Tompson,
Cyrenius W. Gilmore,	Hiram McElroy,	William T. Ward,
Alfred F. Graham,	Benjamin L. Owens,	Marcus L. Williams,
Norvin Green,	Thomas Y. Payne,	James T. Woodward—29.
William M. Green,	John Rodman,	

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky, with an amendment.

Mr. A. G. Talbott, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the Deaf and Dumb Asylum at Danville, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

On motion of Mr. Talbott,

Ordered, That said bill be made the special order of the day for tomorrow, at 9 o'clock, A. M.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.

An act for the benefit of Elizabeth C. Flournoy, of McCracken county.

An act to amend the charter of the city of Augusta.

An act to equalize the compensation for the collection of the revenue tax.

An act to amend an act in relation to running and re-marking a part of the county line between Graves and Hickman counties.

An act to incorporate the Waidsboro' and Marshall county Seminary.

An act for the benefit of the children of David and John Hogan.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act to incorporate the Baptist Church of Bedford, Trimble county.

An act legalizing the proceedings of the Owsley County Court.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz :

An act to authorize the County Court of Montgomery to issue the bonds of said county for Internal Improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

An act to authorize the County Court of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and in the Maysville and Lexington Railroad Companies.

An act to amend an act, entitled, an act to incorporate the town of Lancaster.

An act to authorize the people of Logan county to tax themselves, to assist in making the Louisville and Nashville Railroad, and for other Internal Improvements.

An act providing for running and marking the line between Knox and Harlan counties.

An act to establish an additional Magistrates' and Constable's district, in Nelson county.

An act to change the boundaries of, and place of voting in Magistrates' and Constable's district No. 2, in Scott county, and the voting place of district No. 2, in Grant county.

An act for the benefit of school districts in Cumberland county.

An act to charter the city of Louisville.

Were taken up, twice read, and concurred in.

The House then took up the amendment proposed by the Senate, to the amendment of this House to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky.

Mr. Ritter moved an amendment to said amendment.

Ordered, That said amendments be referred to the committee on Banks, with instructions to report the same to-morrow, at half past 9 o'clock, A. M.

Mr. Bradley, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of all matters to them referred, which was granted.

Mr. Bradley asked leave to withdraw the petition of citizens of Hopkins and Muhlenburg counties, in relation to the erection of a mill dam across Pond river, by J. S. Eaves, and others, which was granted and the same were withdrawn.

Mr. Kavanaugh, from the committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled, an act to change the place of voting in an election precinct in Jefferson county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Kavanaugh, from the same committee, made the following report, viz:

The committee on Privileges and Elections have had under consideration the qualifications, elections, and returns of the members of the present House of Representatives, and report that, in the opinion of the committee, the following named gentlemen were duly elected to serve as members of the House of Representatives for the present session of the General Assembly, to-wit:

From the county of *Adair*—Edgar B. Gaither.
From the county of *Allen*—George W. Mansfield.
From the county of *Anderson*—George W. Kavanaugh.
From the counties of *Ballard* and *McCracken*—George H. Morrow.
From the county of *Barren*—Basil G. Smith and Joseph H. Lewis.
From the county of *Bath*—George M. Hampton.
From the county of *Boone*—William B. Murphy.
From the county of *Bourbon*—George W. Williams and William W. Alexander.
From the county of *Boyle*—Albert G. Talbott.
From the county of *Bracken*—William C. Marshall.
From the counties of *Breathitt* and *Morgan*—William S. Black.
From the county of *Breckinridge*—John B. Bruner.
From the county of *Bullitt*—Richard H. Field.
From the counties of *Butler* and *Edmondson*—Julian N. Phelps.
From the county of *Caldwell*—William H. Calvert.
From the counties of *Calloway* and *Marshall*—Daniel Matthewson.
From the county of *Campbell*—R. Tarvin Baker.

From the counties of *Carroll* and *Gallatin*—George T. Campbell.
From the counties of *Carter* and *Lawrence*—George R. Burgess.
From the county of *Casey*—Joel Murphy.
From the county of *Christian*—Edmund Wooldridge and Winston J. Davie.
From the county of *Clarke*—Samuel Hanson.
From the counties of *Clay*, *Letcher* and *Perry*—James T. Woodward.
From the counties of *Cumberland* and *Clinton*—Joel Owsley.
From the county of *Crittenden*—Henry R. D. Coleman.
From the county of *Daviess*—John S. McFarland.
From the counties of *Estill* and *Owsley*—Morton P. Moore.
From the county of *Fayette*—Robert A. Athey and Christopher C. Rogers.
From the county of *Fleming*—Edward F. Dulin and Alfred F. Graham.
From the counties of *Floyd*, *Pike* and *Johnson*—Bernard H. Garrett.
From the county of *Franklin*—Lysander Hord.
From the counties of *Fulton* and *Hickman*—George W. Silvertooth.
From the county of *Garrard*—John B. Arnold.
From the county of *Grant*—Andrew S. Linn.
From the county of *Graves*—John W. Cook.
From the county of *Grayson*—William M. Gray.
From the county of *Green*—William T. Ward.
From the county of *Greenup*—Marcus L. Williams.
From the county of *Hardin*—Robert English and Randall G. Hays.
From the counties of *Knox* and *Harlan*—Carlo B. Brittain.
From the county of *Harrison*—Lucius Desha and John Shawhan.
From the counties of *Hancock* and *Ohio*—George W. Williams.
From the county of *Hart*—William H. Gardner.
From the county of *Henderson*—James B. Allen.
From the county of *Henry*—Norvin Green.
From the county of *Hopkins*—William Bradley.
From the county of *Jefferson*—Alexander P. Churchill and Samuel L. Geiger.
From the county of *Jessamine*—George I. Brown.
From the county of *Kenton*—Hiram Klette.
From the county of *Larue*—William Beeler.
From the counties of *Laurel* and *Rockcastle*—George P. Brown.
From the county of *Lewis*—John Tompson.
From the county of *Lincoln*—Thomas W. Varnon.
From the county of *Livingston*—Samuel A. Kingman.
From the county of *Logan*—Burwell C. Ritter and Jacob S. Golladay.
From the city of *Louisville*—William Preston, Caleb W. Logan, and William H. Grainger.
From the county of *Madison*—William Harris and William T. Terrill.
From the county of *Marion*—Edward C. Purdy.
From the county of *Mason*—Thomas Y. Payne and Peter Lashbrooke.
From the county of *Meade*—Jesse S. Taylor.
From the county of *Mercer*—James M. Alexander.

From the county of *Monroe*—Preston H. Leslie.
From the county of *Montgomery*—Strother D. Mitchell.
From the county of *Muhlenburg*—John G. Gooch.
From the county of *Nelson*—Thomas W. Riley and Elisha F. Wells.
From the county of *Nicholas*—James P. Metcalfe.
From the county of *Oldham*—John Rodman.
From the county of *Owen*—Joseph W. Rowlett.
From the county of *Pulaski*—Cyrenius W. Gilmore.
From the county of *Pendleton*—Joseph Dougherty.
From the county of *Russell*—William M. Green.
From the county of *Shelby*—George W. Johnston and Thomas Todd.
From the county of *Scott*—Alvin Duvall.
From the county of *Simpson*—Asbury Dawson.
From the county of *Spencer*—Stilwell Heady.
From the county of *Taylor*—Benjamin L. Owens.
From the county of *Todd*—Samuel B. Jesup.
From the county of *Trigg*—Daniel Landes.
From the county of *Trimble*—Ambrose H. Talbott.
From the county of *Union*—Hiram McElroy.
From the county of *Warren*—P. B. Hawkins.
From the county of *Washington*—Thomas S. Grundy.
From the county of *Wayne*—John L. Sallee.
From the county of *Whitley*—Squire Gatliff.
From the county of *Woodford*—Robert H. Campbell.

GEORGE W. KAVANAUGH, *Chairman*.

Mr. Desha, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Philip F. Jones, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so the bill was disagreed to.

Mr. Desha, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

1. An act for the benefit of Samuel G. Mullens, of Mercer county.
2. An act for the benefit of James McBride.
3. An act for the benefit of James McConnell.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the third bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
John B. Arnold,
R. T. Baker,
William Bradley,
Carlo B. Brittain,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Richard H. Field,
Bernard H. Garrett,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Jacob S. Golladay,
John G. Gooch,
Wm. H. Grainger,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Joseph H. Lewis,
Caleb W. Logan,
Daniel Matthewson,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
William B. Murphy,
Benjamin L. Owens,
Thomas Y. Payne,
Edward C. Purdy,
Thomas W. Riley,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
William T. Ward,
G. W. Williams, of H.
James T. Woodward—53.

Those who voted in the negative, were

William S. Black,
George T. Campbell,
Asbury Dawson,
Alfred F. Graham,
William M. Gray,
William M. Green,
Randall G. Hays,
George W. Kavanaugh,
Preston H. Leslie,
Andrew S. Linn,
Morton P. Moore,
Joel Murphy,
Joel Owsley,
Joseph W. Rowlett,
John Shawhan,
Marcus L. Williams—16.

Mr. Desha, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the heirs of Benjamin F. Thomas, deceased, reported the same without amendment.

Ordered, That the further consideration of said bill be postponed till to-morrow, 9 o'clock, A. M.

Mr. Desha, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Col. Ambrose Arthur, reported the same without amendment.

Ordered, That the further consideration of said bill be postponed until to-morrow, at half past 9 o'clock, A. M.

On motion of Mr. Desha,

Ordered, That the committee on Claims be discharged from the further consideration of all matters referred to them.

And then the House adjourned.

FRIDAY, MARCH 21, 1851.

The House took up the bill for the benefit of the Deaf and Dumb Asylum, at Danville.

Ordered, That said bill be engrossed and read a third time.

The said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of thirteen hundred and fifty dollars be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the use and benefit of the Kentucky deaf and dumb asylum, at Danville, to be expended in building an additional story on the *ell* part of the building, set apart for the female department of said institution, and a two storied porch on the south side of, and the entire length of said *ell*.

§ 2. That the said sum of money be paid over to the trustees of the Centre College of Kentucky, to be applied as directed in the foregoing section: *Provided*, the second auditor shall not draw his warrant therefor, until a bond be executed by the trustees of said college, with good and sufficient surety, to be approved by the Boyle county court, in the penalty of twenty-five hundred dollars, payable to the commonwealth of Kentucky, conditioned for the faithful application of the money hereby appropriated, according to the directions of this act, which bond shall be certified to the second auditor.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	William Preston,
James M. Alexander,	Alfred F. Graham,	Edward C. Purdy,
William W. Alexander,	William H. Grainger,	Thomas W. Riley,
John B. Arnold,	Norvin Green,	Burwell C. Ritter,
Robert A. Athey,	Samuel Hanson,	John Rodman,
R. T. Baker,	P. B. Hawkins,	C. C. Rogers,
George I. Brown,	Randall G. Hays,	Albert G. Talbott,
George P. Brown,	Lysander Hord,	Ambrose H. Talbott,
George R. Burgess,	Samuel B. Jesup,	Jesse S. Taylor,
Robert H. Campbell,	Samuel A. Kingman,	Thomas Todd,
Alexander P. Churchill,	Joseph H. Lewis,	William T. Ward,
Winston J. Davie,	James P. Metcalfe,	G. W. Williams, of B,
Edward F. Dulin,	Strother D. Mitchell,	G. W. Williams, of H.
Alvin Duvall,	William B. Murphy,	Marcus L. Williams,
Samuel L. Geiger,	Thomas Y. Payne,	James T. Woodward—46.
Cyrenius W. Gilmore,		

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	George H. Morrow,
William Beeler,	John G. Gooch,	Joel Murphy,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	William M. Green,	Joel Owsley,
John B. Bruner,	Thomas S. Grundy,	Joseph W. Rowlett,
George T. Campbell,	Daniel Landes,	John L. Sallee,
Henry R. D. Coleman,	Peter Lashbrooke,	John Shawhan,
John W. Cook,	Preston H. Leslie,	George W. Silvertooth,
Asbury Dawson,	George W. Mansfield,	William T. Terrill,
Lucius Desha,	Daniel Matthewson,	John Tompson,
Joseph Dougherty,	Hiram McElroy,	Elisha F. Wells—35.
Robert English,	Morton P. Moore,	

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to prescribe the duties of the Secretary of State.

That they had passed bills from this House of the following titles, viz:

An act to fix the salaries of certain officers.

An act to change certain districts in Garrard and Nicholas counties.

With amendments to each.

That they had passed bills of the following titles, viz:

An act for the benefit of G. W. V. McConnell, of Woodford county.

An act to authorize the Trustees of the town of Versailles, and the County Court of Woodford county, to give power to a company to establish water works in said town.

An act to establish an additional election precinct in Scott county.

An act to change the Magistrates' and Constables' Districts in Carter county.

An act to amend an act, entitled, an act to incorporate the town of West Point, in Hardin county, approved January 15, 1848.

A message was received from the Senate by Mr. Shepard, announcing that they had appointed a committee on their part, to act in conjunction with a committee on the part of this House, to wait on the Governor, and ask leave to withdraw from him an enrolled bill which originated in the Senate, entitled, an act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

Whereupon, Messrs. Duvall and Woodward were appointed the committee on the part of this House.

After a short time, Mr. Duvall reported that the committee had returned the bill to the Senate.

Mr. Duvall moved that a message be sent to the Senate, asking leave to withdraw the report of this House, announcing the passage of said bill.

After a short time, the messenger returned with said bill.

Mr. Duvall moved a reconsideration of the votes passing and ordering said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House then took up the bill from the Senate, entitled, an act for the benefit of the heirs of Benjamin F. Thomas, deceased.

The said bill reads as follows, viz:

Whereas, it appears that on the 25th day of March, in the year 1843, Thomas C. Barnes, James W. Thomas, and William L. Sudduth, (representing the three heirs of Benjamin F. Thomas, deceased,) obtained a judgment in the Bath Circuit Court, against the "Owingsville and Big Sandy Turnpike Road Company," for the sum of thirteen hundred dollars, upon an order drawn in their favor, and accepted by the president of said company; and whereas, also, it appears that twelve-thirteenths of the stock in said turnpike road company was subscribed and paid by the State of Kentucky, and the remainder by counties and by individuals, and in the distribution of the profits heretofore yielded by said road, the State of Kentucky has received as her proportionate share, the sum of thirteen hundred dollars, which has been paid into the treasury; and believing that the said Commonwealth, having thus shared the profits, should in like manner share the debts of said road. Therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the Second Auditor, upon the application of William T. French, either personally, or by order, or power of attorney, to draw his warrant upon the treasury in favor of said William T. French, as the husband of Louisa French and next friend of George H. Thomas, (the said Louisa and George being now the only surviving heirs of the said Benjamin F. Thomas, deceased,) for the sum of twelve hundred dollars, to be paid out of any money in the treasury not otherwise appropriated.

§ 2. That the "Owingsville and Big Sandy Turnpike Road Company" have a credit upon the above recited judgment of the Bath Circuit Court, for the amount in the foregoing section appropriated, as of the said 25th day of March, 1850; and upon the payment of said warrant by the Treasury of Kentucky, that the said "Owingsville and Big Sandy Turnpike Road Company" be forever absolved from said judgment, except so far as regards counties and individual stockholders, whose separate interest or interests in said road shall still be liable for the balance of said judgment remaining unpaid.

Mr. Logan moved the previous question, and it was decided in the affirmative.

The question was then taken, shall the bill be read a third time, and it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
Robert A. Athey,
R. T. Baker,
Carlo B. Brittain,
George I. Brown,
John B. Bruner,
George R. Burgess,
Robert H. Campbell,
Winston J. Davie,
Edward F. Dulin,
Bernard H. Garrett,
Cyrenius W. Gilmore,
Samuel Hanson,
P. B. Hawkins,
Lysander Hord,
Samuel B. Jesup,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
Morton P. Moore,
Benjamin L. Owens,
Wm. Preston,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
George W. Williams, of B.
Marcus L. Williams,
James T. Woodward—34.

Those who voted in the negative, were

James B. Allen,
William S. Black,
Wm. Bradley,
George P. Brown,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Robert English,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Wm. M. Green,
Thomas S. Grundy,
Randall G. Hays,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Ambrose H. Talbott,
Wm. T. Terrill,
John Tompson,
Elisha F. Wells,
G. W. Williams, of H—37.

The House then took up the bill from the Senate, entitled, an act for the benefit of Col. Ambrose Arthur.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the second auditor be directed to issue his warrant on the treasurer in favor of Col. Ambrose Arthur, for the sum of one hundred and eighty-five dollars, money by him paid, laid out and expended in marching a company of volunteers, and bearing the expenses of same, from Barboursville, in Knox county, to Dayton, Ohio, and which has never been refunded to him.

The question was then taken, shall the bill be read a third time, and it was decided in the negative; and so the said bill was disagreed to.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Carlo B. Brittain,	George W. Mansfield,	Ambrose H. Talbott,
George P. Brown,	James P. Metcalfe,	William T. Terrill,
Squire Gatliff,	Strother D. Mitchell,	Thomas Todd,
Cyrenius W. Gilmore,	Morton P. Moore,	John Tompson,
Norvin Green,	Benjamin L. Owens,	William T. Ward,
Samuel Hanson,	Thomas Y. Payne,	G. W. Williams, of B.
P. B. Hawkins,	Edward C. Purdy,	G. W. Williams, of H.
Lysander Hord,	Burwell C. Ritter,	Marcus L. Williams,
Samuel B. Jesup,	John Rodman,	James T. Woodward—29.
Caleb W. Logan,	Albert G. Talbott,	

Those who voted in the negative, were

James B. Allen,	Alvin Duvall,	Preston H. Leslie,
William S. Black,	Robert English,	Daniel Matthewson,
Wm. Bradley,	Edgar B. Gaither,	Hiram McElroy,
George I. Brown,	Bernard H. Garrett,	John S. McFarland,
John B. Bruner,	Jacob S. Golladay,	George H. Morrow,
George T. Campbell,	John G. Gooch,	Joel Murphy,
Henry R. D. Coleman,	Alfred F. Graham,	Joel Owsley,
John W. Cook,	Wm. M. Gray,	Joseph W. Rowlett,
Winston J. Davie,	William M. Green,	John L. Sallee,
Asbury Dawson,	Thomas S. Grundy,	John Shawhan,
Lucius Desha,	Randall G. Hays,	George W. Silvertooth,
Edward F. Dulin,	Daniel Landes,	Elisha F. Wells—36.

Mr. Payne, from the committee on Banks, to whom was referred the amendment of the Senate to the amendment of this House, to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky, and the amendment proposed thereto by Mr. Ritter, reported the same with an amendment.

The amendment of the Senate reads as follows, viz:

§ 2. That the president and directors of the principal bank shall cause the stock books of said bank to be opened early in September next, at two suitable places, in each of one of those three branch bank districts, where no branch has been located, having given not less than thirty days' notice thereof, by publication in the newspapers designated in the original charter, and shall give due notice to the commissioners appointed at each place to open the books and superintend the taking of stock, and shall cause the said books to be kept open for at least thirty days; and the said president and directors, in the performance of the duties herein prescribed, shall comply with this act, and the provisions of the 45th section of the original charter, and that they shall locate the branches so soon as the subscription and payment of stock will justify their doing so: *Provided*, that the president and directors shall have power to charge such premium on the stock thus subscribed, as will place the new stockholders upon an equality with the present stockholders, so far as the contingent fund, proposed and required to be created by the 14th section of the original charter, and so far as the necessary expenses for putting the bank into operation up to the period of said subscription.

The amendment proposed by Mr. Ritter reads as follows, viz:

Provided, That if a sufficient amount of stock to establish a branch in either of said districts should not be taken when the books shall have been opened as above directed, that then, and in that case, the president and directors of the principal bank shall be released from the obligation to locate a branch in such district or districts as may have failed to take a sufficient amount of stock as aforesaid; and the said President and directors shall have power to locate said branch or branches at such time and place or places as they may deem best for the community and institution, having due regard in the location of said branches north and south of Green river, as is designated in the original charter.

The amendment proposed by the committee reads as follows, viz:

Provided further, That the president and directors of the parent bank shall permit the subsequent subscribers of said stock to come into the institution upon fair and equal terms with the original subscribers, by charging the new subscribers with their proportionable part of the expenses incurred in putting the bank in operation, and the contingent fund on hand; and it shall be the duty of the parent directors, at the time of opening the books in the several districts, to set forth and charge the amount of said expenses and contingent fund.

The question was then taken on concurring in the amendment of the committee, and it was decided in the affirmative.

The question was then taken on concurring in the amendment proposed by Mr. Ritter to the amendment of the Senate, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Silvertooth and M. L. Williams, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Alvin Duvall,	Joseph H. Lewis,
John B. Arnold,	Robert English,	Caleb W. Logan,
R. T. Baker,	Bernard H. Garrett,	George W. Mansfield,
William Bradley,	Jacob S. Golladay,	John S. McFarland,
George I. Brown,	John G. Gooch,	Morton P. Moore,
George P. Brown,	Alfred F. Graham,	George H. Morrow,
John B. Bruner,	Wm. H. Grainger,	Burwell C. Ritter,
Robert H. Campbell,	Samuel Hanson,	John Rodman,
Alexander P. Churchill,	P. B. Hawkins,	William T. Terrill,
Henry R. D. Coleman,	Lysander Hord,	Thomas Todd,
Asbury Dawson,	Samuel B. Jesup,	G. W. Williams, of B.
Lucius Desha,	Samuel A. Kingman,	G. W. Williams, of H—38
Edward F. Dulin,	Daniel Landes,	

Those who voted in the negative, were

James M. Alexander,	Thomas S. Grundy,	Joseph W. Rowlett,
James B. Allen,	Preston H. Leslie,	John L. Sallee,
Wm. S. Black,	Daniel Matthewson,	John Shawhan,
George R. Burgess,	James P. Metcalfe,	George W. Silvertooth,
John W. Cook,	Strother D. Mitchell,	Ambrose H. Talbott,
Winston J. Davie,	Joel Murphy,	John Tompson,

Edgar B. Gaither,	Benjamin L. Owens,	William T. Ward,
Squire Gatliff,	Joel Owsley,	Elisha F. Wells,
Cyrenius W. Gilmore,	Thomas Y. Payne,	Marcus L. Williams,
Norvin Green,	Edward C. Purdy,	James T. Woodward—32.
William M. Green,	C. C. Rogers,	

The question was then taken on the amendment of the Senate, as amended, to the amendment of this House to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sallee and Hanson, were as follows, viz :

Those who voted in the affirmative, were

William W. Alexander,	Robert English,	Joseph H. Lewis,
John B. Arnold,	Bernard H. Garrett,	Caleb W. Logan,
William Bradley,	Jacob S. Golladay,	George W. Mansfield,
George I. Brown,	John G. Gooch,	John S. McFarland,
John B. Bruner,	William H. Grainger,	George H. Morrow,
Robert H. Campbell,	George M. Hampton,	Burwell C. Ritter,
Alexander P. Churchill,	Samuel Hanson,	John Rodman,
Henry R. D. Coleman,	P. B. Hawkins,	Wm. T. Terrill,
Asbury Dawson,	Lysander Hord,	Thomas Todd,
Lucius Desha,	Samuel B. Jesup,	G. W. Williams, of B.
Edward F. Dulin,	Samuel A. Kingman,	G. W. Williams, of H.—34.
Alvin Duvall,		

Those who voted in the negative, were

James B. Allen,	Norvin Green,	C. C. Rogers,
William Beeler,	William M. Green,	Joseph W. Rowlett,
William S. Black,	Thomas S. Grundy,	John L. Sallee,
George R. Burgess,	Preston H. Leslie,	John Shawhan,
John W. Cook,	Daniel Matthewson,	George W. Silvertooth,
Winston J. Davie,	Strother D. Mitchell,	Ambrose H. Talbott,
Joseph Dougherty,	Morton P. Moore,	John Tompson,
Edgar B. Gaither,	Joel Murphy,	William T. Ward,
Squire Gatliff,	Benjamin L. Owens,	Elisha F. Wells,
Cyrenius W. Gilmore,	Joel Owsley,	Marcus L. Williams,
Alfred F. Graham,	Thomas Y. Payne,	James T. Woodward—35.
William M. Gray,	Edward C. Purdy,	

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to impose a tax upon the sale of lottery tickets.

Mr. Desha, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act appropriating money to the Frankfort Cemetery Company, James Bell, and Robert Stevenson, for work and labor done, and materials furnished in the improvements lately made around the State Military Monument, reported the same with an amendment, striking out the second section of said bill, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative; and so the bill was disagreed to.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	William H. Grainger,	Joel Murphy,
Robert A. Athey,	Norvin Green,	Benjamin L. Owens,
R. T. Baker,	Thomas S. Grundy,	Thomas Y. Payne,
William Bradley,	Samuel Hanson,	Edward C. Purdy,
George I. Brown,	P. B. Hawkins,	Burwell C. Ritter,
John B. Bruner,	Lysander Hord,	John Rodman,
Wm. H. Calvert,	Samuel A. Kingman,	C. C. Rogers,
Robert H. Campbell,	Peter Lashbrooke,	Albert G. Talbott,
Alexander P. Churchill,	Joseph H. Lewis,	Ambrose H. Talbott,
Winston J. Davie,	Caleb W. Logan,	Jesse S. Taylor,
Lucius Desha,	Hiram McElroy,	William T. Ward,
Joseph Dougherty,	John S. McFarland,	G. W. Williams, of B.
Alvin Duvall,	James P. Metcalfe,	G. W. Williams, of H.
Edgar B. Gaither,	Strother D. Mitchell,	James T. Woodward—44.
Jacob S. Golladay,	Morton P. Moore,	

Those who voted in the negative, were

James B. Allen,	Squire Gatliff,	Daniel Matthewson,
William Beeler,	Cyrenius W. Gilmore,	George H. Morrow,
William S. Black,	John G. Gooch,	Joel Owsley,
George P. Brown,	Alfred F. Graham,	Joseph W. Rowlett,
Henry R. D. Coleman,	William M. Gray,	John L. Sallee,
Asbury Dawson,	William M. Green,	John Shawhan,
Edward F. Dulin,	Preston H. Leslie,	Wm. T. Terrill,
Robert English,	George W. Mansfield,	John Tompson—24.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to authorize the sale of the estate of infants and *femes covert*, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate Springhill Lodge, No. 139, at Crab Orchard.

An act to alter certain districts in Barren county.

An act making Lafayette, in Christian county, a place of voting.

An act concerning certain Magistrates' and Constables' Districts in Lewis county.

An act further to define the powers of the Trustees of Winchester, and extend the privileges of its citizens.

An act to change a voting place and certain Magistrates' and Constables' Districts in Ohio county.

An act concerning justices' and Constables' Districts.

An act to incorporate the Winchester, Kiddville, and Mountsterling Turnpike Road Company.

An act to amend the acts incorporating the Paris, Winchester, and Kentucky River Turnpike Road Company, and to authorize a transfer to the same of the Winchester and Kentucky River Turnpike Road Company's effects, &c.

An act fixing the period of Clerks and other officers listing their fee bills for collection in the present year.

An act for the benefit of John M. Gallagher.

An act to amend the boundaries of District No. 5, in Pendleton county.

An act to establish the town of Woodville, in Mason county.

An act to incorporate the Owensboro' Building Company.

An act authorizing a change of the voting place in district No. 3, in Trimble county.

An act to amend the charter of the Lexington and Frankfort Railroad Company.

An act to incorporate the Owenton and Scott County Line Turnpike Road Company.

An act for the benefit of William T. Dudley, Clerk of the Fleming County Court.

An act to incorporate Hancock Lodge, No. 115, in Hancock county.

An act providing for the collection, by the Sheriffs elected in May next of the revenue of the present year.

An act to legalize the proceedings of the Bracken County Court, at its October term, 1850.

An act to extend the limits of Independence, in Kenton county.

An act to amend the charter of the Falls City Insurance Company, approved February 20, 1851.

An act for the benefit of the mechanics of Pulaski county.

An act granting the right of way and corporate privileges to the Clarksville and Hopkinsville Turnpike Company.

An act regulating the duties of the Christian County Court in laying the levy.

An act for the benefit of School District No. 19, in Meade, Knox, Whitley, Nelson, and Greenup counties.

An act concerning districts for the election of Justices of the Peace and Constables, to authorize the establishment of an additional district, and to change a place of voting in one district in Caldwell county.

An act changing the Justices' District in Muhlenburg county, and establishing an election precinct.

An act to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

An act to prevent the destruction of fish in Floyd's fork.

An act to amend an act, entitled, an act to incorporate the Sardis Turnpike Road Company, approved March 1, 1848.

An act to amend an act incorporating the Newtown and Leesburg Turnpike Road Company.

An act providing for special terms of the County Courts.

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Company.

An act to amend an act, approved January 29, 1846, incorporating the town of Hillsboro', in Fleming county.

An act regulating the duties of the Clarke County Court, and the appointment of the County Treasurer.

An act to establish the town of Lovelaceville, in Ballard county.

An act changing the boundaries of Justices' District No. 6, in Mercer county.

An act to change the boundary and place of voting in certain Magistrates' and Constables' Districts in Shelby county, and to provide for changing the voting place in Hopkins county.

An act to establish a July term of the Wayne County Court.

An act concerning Magistrates' and Constables' districts.

An act to amend the Justices' District of Lewisburg, in the county of Mason.

An act to appoint Commissioners to change the boundaries of certain Magistrates' and Constables' districts in Owen county.

An act to incorporate the town of Raleigh.

An act to extend the limits of Magistrates' and Constable's District, No. 7, in Knox county.

An act for the benefit of Aaron Dawson, Edward McClure, and John L. McCann.

An act to amend the charter of the Covington and Lexington Turnpike Road Company, and to incorporate the Georgetown and Dry Ridge Turnpike Road Company as a separate and independent Company.

An act to authorize the county of Bourbon to issue bonds, and to subscribe stock in the Covington and Lexington, and Maysville and Lexington Railroad Companies.

And a bill which originated in the Senate, entitled, an act defining the boundaries of the Magistrates' and Constables' Districts in Pulaski county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the Senate, entitled, an act to provide for the organization of the militia of this State, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to provide for a special Court of Appeals, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the same committee, to whom was referred a bill from the Senate, entitled, an act to authorize the County Courts of this Commonwealth to direct the sale of the real estate of lunatics, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hanson, from the committee on the Judiciary, reported a bill more effectually to suppress the practice of gaming, which was read the first time as follows, viz :

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person who shall be guilty of gaming at cards, dice, chuck-luck, or anything else whatever, in the public road, street, commons, fields, or woods, or in any house, for money or property, shall be liable to a presentment or indictment by the grand jury of the county in which

such offense may be committed, and upon conviction thereof, shall be fined the sum of twenty dollars.

§ 2. That any person who shall bet or wager money or property on any such game, played by others, shall be subject to a presentment or indictment therefor, and upon conviction thereof, shall be fined the like sum of twenty dollars. And any free white man who shall be guilty of playing or betting at any of the games aforesaid, with a slave, free negro, or mulatto, shall be subject to presentment or indictment by the grand jury of the county in which such offense shall be committed, and upon conviction thereof, shall be fined any sum not exceeding two hundred dollars, nor less than fifty dollars. And any slave, free negro, or mulatto, being guilty of such offense, shall, upon conviction thereof before a justice of the peace, receive therefor, upon his bare back, thirty-nine lashes, well laid on by order of such justice.

§ 3. That it shall be the special duty of all the circuit court judges in this commonwealth, to give this act in charge to each and all the grand juries that may be impanneled.

Mr. Athey moved to lay the bill on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Owsley and Hanson, were as follows, viz:

Those who voted in the affirmative, were

Robert A. Athey,	William M. Gray,	George H. Morrow,
William Beeler,	Norvin Green,	Joel Murphy,
Wm. Bradley,	Thomas S. Grundy,	Thomas Y. Payne,
Carlo B. Brittain,	Randall G. Hays,	John Rodman,
George I. Brown,	Samuel B. Jesup,	John Shawhan,
John B. Bruner,	George W. Kavanaugh,	George W. Silvertooth,
George R. Burgess,	Samuel A. Kingman,	Ambrose H. Talbott,
Robert H. Campbell,	Daniel Landes,	Jesse S. Taylor,
John W. Cook,	Peter Lashbrooke,	John Tompson,
Asbury Dawson,	Daniel Matthewson,	G. W. Williams, of B.
Lucius Desha,	John S. McFarland,	G. W. Williams, of H.
Alvin Duvall,	Strother D. Mitchell,	Marcus L. Williams—38.
Cyrenius W. Gilmore,	Morton P. Moore,	

Those who voted in the negative, were

James M. Alexander,	Edgar B. Gaither,	James P. Metcalfe,
James B. Allen,	Bernard H. Garrett,	Benjamin L. Owens,
John B. Arnold,	Squire Gatliff,	Joel Owsley,
R. T. Baker,	Jacob S. Golladay,	Edward C. Purdy,
Wm. S. Black,	John G. Gooch,	Burwell C. Ritter,
George P. Brown,	Alfred F. Graham,	C. C. Rogers,
William H. Calvert,	William M. Green,	John L. Sallee,
George T. Campbell,	Samuel Hanson,	William T. Terrill,
Henry R. D. Coleman,	P. B. Hawkins,	Thomas Todd,
Winston J. Davie,	Lysander Hord,	William T. Ward,
Joseph Dougherty,	Preston H. Leslie,	Elisha F. Wells,
Edward F. Dulin,	William C. Marshall,	James T. Woodward—38.
Robert English,	Hiram McElroy,	

The question was then taken on ordering said bill to be read a second time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Owsley and Hanson, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Alfred F. Graham,	Burwell C. Ritter,
James B. Allen,	Wm. M. Green,	John Rodman,
R. T. Baker,	Thomas S. Grundy,	C. C. Rogers,
William S. Black,	Samuel Hanson,	Joseph W. Rowlett,
George P. Brown,	P. B. Hawkins,	John L. Sallee,
Wm. H. Calvert,	Lysander Hord,	Ambrose H. Talbott,
George T. Campbell,	Preston H. Leslie,	Jesse S. Taylor,
Henry R. D. Coleman,	George W. Mansfield,	William T. Terrill,
Winston J. Davie,	Daniel Matthewson,	Thomas Todd,
Edward F. Dulin,	Hiram McElroy,	William T. Ward,
Edgar B. Gaither,	Joel Murphy,	Elisha F. Wells,
Bernard H. Garrett,	Benjamin L. Owens,	G. W. Williams, of B.
Jacob S. Golladay,	Joel Owsley,	James T. Woodward—41.
John G. Gooch,	Edward C. Purdy,	

Those who voted in the negative, were

Robert A. Athey,	Alvin Duvall,	Peter Lashbrooke,
Wm. Beeler,	Squire Gatliff,	John S. McFarland,
William Bradley,	Samuel L. Geiger,	Strother D. Mitchell,
Carlo B. Brittain,	Cyrenius W. Gilmore,	Morton P. Moore,
George I. Brown,	William H. Grainger,	George H. Morrow,
John B. Bruner,	William M. Gray,	Thomas Y. Payne,
George R. Burgess,	Norvin Green,	William Preston,
Robert H. Campbell,	Randall G. Hays,	John Shawhan,
John W. Cook,	Samuel B. Jesup,	George W. Silvertooth,
Asbury Dawson,	George W. Kavanaugh,	John Tompson,
Lucius Desha,	Samuel A. Kingman,	G. W. Williams, of H.
Joseph Dougherty,	Daniel Landes,	Marcus L. Williams—36.

Mr. Rogers moved to dispense with the second reading of said bill, and it was decided in the negative, it requiring a majority of four-fifths.

The yeas and nays being required thereon by Messrs. Rogers and Athey, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	John G. Gooch,	Joel Owsley,
James B. Allen,	Alfred F. Graham,	Edward C. Purdy,
R. T. Baker,	William H. Grainger,	Burwell C. Ritter.
Wm. S. Black,	Wm. M. Green,	John Rodman,
Carlo B. Brittain,	Samuel Hanson,	C. C. Rogers,
George P. Brown,	P. B. Hawkins,	Joseph W. Rowlett,
Wm. H. Calvert,	Lysander Hord,	John L. Sallee,
George T. Campbell,	Preston H. Leslie,	Jesse S. Taylor.
Henry R. D. Coleman,	Caleb W. Logan,	Wm. T. Terrill,
Winston J. Davie,	George W. Mansfield,	Thomas Todd.
Edward F. Dulin,	Daniel Matthewson,	Wm. T. Ward,

Robert English,	Hiram McElroy,	Elisha F. Wells,
Edgar B. Gaither,	Joel Murphy,	G. W. Williams, of B.
Bernard H. Garrett,	Benjamin L. Owens,	James T. Woodward—43.
Jacob S. Golladay,		

Those who voted in the negative, were

Robert A. Athey,	Samuel L. Geiger,	Strother D. Mitchell,
Wm. Bradley,	Cyrenius W. Gilmore,	Morton P. Moore,
George I. Brown,	Wm. M. Gray,	George H. Morrow,
John B. Bruner,	Thomas S. Grundy,	Thomas Y. Payne,
George R. Burgess,	Randall G. Hays,	William Preston,
Robert H. Campbell,	Samuel B. Jesup,	John Shawhan,
John W. Cook,	George W. Kavanaugh.	George W. Silvertooth,
Asbury Dawson,	Samuel A. Kingman,	Ambrose H. Talbott,
Lucius Desha,	Daniel Landes,	John Tompson,
Joseph Dougherty,	Peter Lashbrooke,	G. W. Williams, of H.
Alvin Duvall,	John S. McFarland,	Marcus L. Wiillams—33.

A message was received from the Senate, announcing thir concurrence in the amendment of this House to a bill from the Senate, entitled, an act to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851, with an amendment.

That they had passed bills from this House of the following titles, viz:

An act to incorporate the Catlettsburg and Grayson Plank Road Company.

An act to abolish the office of President of the Board of Internal Improvement, and change the organization of said Board.

An act to amend the charter of the city of Maysville.

With amendments to each.

Mr. Mansfield, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act concerning the sale of spirituous liquors in the town of Prestonsburg, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. McFarland, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act for the benefit of Charles C. Kelly, Clerk of the Washington Circuit Court, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. McFarland, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

1. An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

2. An act for the benefit of George Johnson, of Morganfield.

Reported the first with and the second without an amendment, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. McFarland, from the same committee, to whom was referred a bill from the Senate, entitled, an act prescribing the duties of Assessors of Tax, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative; and so the said bill was disagreed to.

Mr. Hord, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act giving officers further time to collect precepts, taxes, and fees, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title be amended by striking out the word "precepts."

Mr. Hord, from the committee on the Judiciary, reported a bill for the benefit of *bona fide* housekeepers, which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in addition to the articles of personal property that are exempted by law from execution, distress for fee bills, or attachment, there shall also be exempted to each and every *bona fide* housekeeper, a homestead for the family of the defendant; if they reside in the country, a tract of land of not more than sixty acres, to include the house, and not to exceed the value of five hundred dollars; if the family of the debtor reside in a city, town, or village, a house and lot, or a part thereof, of the value of five hundred dollars, which valuation shall be ascertained and fixed by two disinterested housekeepers or their umpire, one of whom may be chosen by the debtor or his agent, and the other by the creditor, his agent or attorney, and the umpire to be chosen by said commissioners; and in case the plaintiff or defendant, or their agents, shall fail to make such selection, the sheriff or constable shall appoint said commissioners, and said officer shall administer an oath to said commissioners to make said valuation truly, and without prejudice or partiality, and their report shall be made out and signed by them, and shall be returned

by said officer, with his execution or attachment, to the office from whence the same issued.

§ 2. That the provisions of this act shall not operate on debts, contracts, or liabilities now in existence, or which may be made or created before the first day of January, 1852.

Mr. W. M. Green moved to lay said bill on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and A. H. Talbott, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Bernard H. Garrett,	John S. McFarland,
R. T. Baker,	Squire Gatliff,	James P. Metcalfe,
Wm. Beeler,	Cyrenius W. Gilmore,	Strother D. Mitchell,
William S. Black,	John G. Gooch,	George H. Morrow,
Wm. Bradley,	Alfred F. Graham,	Joel Murphy,
Carlo B. Brittain,	Wm. H. Grainger,	Thomas Y. Payne,
George I. Brown,	William M. Gray,	Edward C. Purdy,
John B. Bruner,	Wm. M. Green,	John Rodman,
George R. Burgess,	Samuel Hanson,	C. C. Rogers,
Wm. H. Calvert,	Lysander Hord,	Ambrose H. Talbott,
Robert H. Campbell,	Samuel A. Kingman,	Jesse S. Taylor,
George T. Campbell,	Peter Lashbrooke,	Wm. T. Terrill,
Asbury Dawson,	Preston H. Leslie,	John Tompson,
Edward F. Dulin,	Caleb W. Logan,	Elisha F. Wells,
Alvin Duvall,	Daniel Matthewson,	James T. Woodward—47.
Robert English,	Hiram McElroy,	

Those who voted in the negative, were

James M. Alexander,	Thomas S. Grundy,	Joseph W. Rowlett,
James B. Allen,	George M. Hampton,	John L. Sallee,
Robert A. Athey,	P. B. Hawkins,	John Shawhan,
George P. Brown,	Randall G. Hays,	George W. Silvertooth,
Alexander P. Churchill,	Samuel B. Jesup,	Albert G. Talbott,
Henry R. D. Coleman,	Daniel Landes,	Thomas Todd,
Winston J. Davie,	George W. Mansfield,	William T. Ward,
Lucius Desha,	Morton P. Moore,	George W. Williams, of B.
Joseph Dougherty,	Benjamin L. Owens,	G. W. Williams, of H.
Jacob S. Golladay,	Joel Owsley,	Marcus L. Williams—31.
Norvin Green,		

Mr. McFarland, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

Reported the same, with amendments to each, which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to abolish the General Court, and transfer its powers and jurisdiction to the Franklin Circuit Court.

By same—2. A bill concerning County Courts in Monroe county.

By same—3. A bill supplemental to an act to prevent the destruction of fish in Barebone creek.

By same—4. A bill to legalize a survey on Wolf creek, on behalf of William McGuire.

By same—5. A bill to prevent free negroes from emigrating to, or slaves emancipated from remaining in this State.

By same—6. A bill to repeal an act for the benefit of the devisees of Alfred Payne, approved March 7, 1850.

By the committee on Internal Improvement—7. A bill to incorporate the Georgetown and Lemmon's Mill Turnpike Road Company.

By same—8. A bill to incorporate the Iron Works Turnpike Road Company.

By same—9. A bill to repeal an act for the benefit of H. W. Martin, approved March 7, 1850, and for other purposes.

By same—10. A bill to amend the act incorporating the Mayslick and Sardis Turnpike Road Company.

By same—11. A bill to establish a State road in the counties of Caldwell, Livingston, and McCracken.

By same—12. A bill to amend an act, entitled, an act allowing an appropriation of land warrants to assist in the construction of a bridge across the mouth of Straight creek, in Harlan county, and for other purposes, approved February 22, 1834.

By same—13. A bill to amend the charter of the Cynthiana and Millersburg Turnpike Road Company.

By the committee on Education—14. A bill to incorporate the Dallasburg Seminary, in Owen county.

By same—15. A bill for the benefit of certain Common School Districts in the counties of Fayette, Floyd, and Cumberland.

By same—16. A bill to incorporate the Huphussas or Immortal Sevens.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 15th bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Ritter, from the committee on Ways and Means, reported a bill to increase the revenue of the year 1851, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. McFarland moved an amendment to said bill.

On motion of Mr. McFarland,

Ordered, That the further consideration of said bill and amendment be postponed until to-morrow, 10 o'clock, A. M.

At 6 o'clock, P. M., Mr. Williams, of Bourbon, moved an adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davie and Payne, were as follows, viz:

Those who voted in the affirmative, were

John B. Arnold,	Samuel L. Geiger,	Albert G. Talbott,
William S. Black,	Cyrenius W. Gilmore,	Jesse S. Taylor,
William H. Calvert,	Jacob S. Golladay,	Thomas Todd,
Robert English,	Wm. H. Grainger,	Elisha F. Wells,
Bernard H. Garrett,	William M. Gray,	Geo. W. Williams, of B.
Squire Gatliff,	Burwell C. Ritter,	G. W. Williams, of H—18.

Those who voted in the negative, were

James B. Allen,	Alfred F. Graham,	Strother D. Mitchell,
R. T. Baker,	Norvin Green,	George H. Morrow,
Wm. Beeler,	William M. Green,	Joel Murphy,
William Bradley,	Thomas S. Grundy,	Joel Owsley,
Carlo B. Brittain,	George M. Hampton,	Thomas Y. Payne,
George I. Brown,	Samuel Hanson,	Edward C. Purdy,
George P. Brown,	Randall G. Hays,	John Rodman,
John B. Bruner,	Lysander Hord,	C. C. Rogers,
George R. Burgess,	George W. Kavanaugh,	Joseph W. Rowlett,
John W. Cook,	Samuel A. Kingman,	John L. Sallee,
Winston J. Davie,	Daniel Landes,	John Shawhan,
Asbury Dawson,	Preston H. Leslie,	George W. Silvertooth,
Lucius Desha,	Caleb W. Logan,	Ambrose H. Talbott,
Joseph Dougherty,	George W. Mansfield,	William T. Terrill,
Edward F. Dulin,	Daniel Matthewson,	William T. Ward,
Alvin Duvall,	Hiram McElroy,	Marcus L. Williams.
Edgar B. Gaither,	John S. McFarland,	James T. Woodward—53.
John G. Gooch,	James P. Metcalfe,	

Mr. Todd, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled, an act to incorporate the town of Shelbyville, approved February 21, 1846, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Payne, from the committee to whom was referred a bill to establish District No. 6, in Bath county, reported the same with an amendment as a substitute for said bill.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby established in the county of Bath, one additional district, No. 6, for the election of two justices of the peace and one constable, bounded as follows: Beginning at the mouth of Bald Eagle creek, running up said creek to the mouth of the Mile branch; then up said branch to George Thompson's; thence to D. T. Foster's; thence to Dr. Richard West's, excluding the houses of the said Thompson, Foster and West; thence with the Blue Lick road to the Nicholas county line; thence with said line to the Fleming county line; thence with said line to the mouth of Big Flat creek; thence with said creek to the beginning; and the town of Bethel shall be the voting place in said district.

The amendment as a substitute reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That W. A. Lane, J. A. Young, A. J. Ewing, M. Gill, R. G. Owings, W. L. Sudduth, and P. Guirant, be appointed commissioners, and they are hereby authorized to district the county of Bath into justices' and constable's districts, not exceeding seven districts in number, and shall make out in writing, in a fair hand, two copies of said districts, and file one in the county court clerk's office, in the county of Bath, and the other in the secretary of state's office, in the town of Frankfort; and the said commissioners shall give public notice of such districts in each district in the county of Bath; and the county court clerk shall give copies of the said districts to the judges of the election, at the May election.

§ 2. That the present apportionment of the county and voting places therein, shall remain the same until this division is made and recorded in the county court clerk's office.

The question was then taken on concurring in said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Logan and Rowlett, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Bernard H. Garrett,	Daniel Matthewson,
James B. Allen,	Squire Gatliff,	Hiram McElroy,
Robert A. Athey,	Samuel L. Geiger,	James P. Metcalfe,
William S. Black,	Jacob S. Golladay,	George H. Morrow,
Wm. Bradley,	Wm. M. Gray,	Benjamin L. Owens,
Carlo B. Brittain,	Norvin Green,	Edward C. Purdy,
Alexander P. Churchill,	Thomas S. Grundy,	Christopher C. Rogers,
Henry R. D. Coleman,	George M. Hampton,	Joseph W. Rowlett,
John W. Cook,	P. B. Hawkins,	John Shawhan,
Winston J. Davie,	Lysander Hord,	George W. Silvertooth,
Asbury Dawson,	George W. Kavanaugh,	Ambrose H. Talbott,
Lucius Desha,	Daniel Landes,	William T. Terrill,
Alvin Duvall,	Peter Lashbrooke,	G. W. Williams, of H.
Edgar B. Gaither,	George W. Mansfield,	Marcus L. Williams—42.

Those who voted in the negative, were

R. T. Baker,	John G. Gooch,	John S. McFarland,
William Beeler,	Alfred F. Graham,	Strother D. Mitchell,
George I. Brown,	Wm. H. Grainger,	Morton P. Moore,
George P. Brown,	William M. Green,	Joel Murphy,
John B. Bruner,	Samuel Hanson,	Joel Owsley,
George R. Burgess,	Randall G. Hays,	Wm. Preston,
Robert H. Campbell,	Samuel B. Jesup,	John Rodman,
Edward F. Dulin,	Preston H. Leslie,	Albert G. Talbott,
Robert English,	Joseph H. Lewis,	William T. Ward,
Cyrenius W. Gilmore,	Caleb W. Logan,	Elisha F. Wells—30.

Ordered, That said bill, as amended, be engrossed and read a third time.

On motion of Mr. Rogers,

Ordered, That said bill have its third reading on to-morrow, at half past 9 o'clock, A. M.

And then the House adjourned.

SATURDAY, MARCH 22, 1851.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to amend the exemption laws.

An act to provide for changing the place of voting in the 5th district, in Nicholas county.

An act to provide for the payment of the unpaid orders of the School Commissioners.

An act to charter the Danville and Bardstown Railroad Company.

An act to incorporate the Lexington, Harrodsburg and Bowlinggreen Railroad Company.

An act to incorporate the Glasgow and Burksville Turnpike and Plank Road Company.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Francis McCauley.

An act to provide for the election of a Police Judge in the town of Richmond.

An act for the benefit of Turnpike Roads in Lincoln county.

An act to amend an act, entitled, an act to incorporate the Transylvania School of Dental Surgery, approved March 7, 1850.

An act supplemental to an act, entitled, an act to incorporate the Lexington Savings Institution, approved February 10, 1851.

An act repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services.

An act to legalize the subscription of stock by the Franklin County Court, in the Stamping Ground and Frankfort Turnpike Road Company, and to authorize the city of Frankfort to take stock in said road.

An act to amend the charter of the Newtown and Leesburg Turnpike Road Company.

An act in relation to the Marshal of the city of Frankfort.

An act for the benefit of Henry G. Mitchell and John Mitchell.

An act relative to Assessors of Tax.

An act to change the place of voting in Jamestown, in Campbell county.

An act to establish an additional election precint in Jefferson county.

An act to provide for the election of the Police Judge and Marshal of the town of Lawrenceburg, and changing the limits of said town.

An act requiring officers of this Commonwealth to execute official bonds, and prescribing the manner of such execution.

An act to authorize the Mayor and Council of the city of Louisville to provide for the times, places and manner of holding the first election in 1851, under the charter of said city

An act to establish two additional election precincts in Bullitt county.

An act for the benefit of Uriah G. Berry.

An act for the benefit of Philip Felton.

An act concerning free negroes and mulattoes.

An act to amend the law regulating tolls on the Wilderness Turnpike Road.

An act regulating the terms of the Clark and Madison County Courts.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act providing for the relief and discharge of securities for public officers.

An act to amend the charter of the town of Crab Orchard.

An act to incorporate a Turnpike or Plank Road Company in the county of Franklin.

The amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to change certain districts in Garrard and Nicholas counties.

An act to amend the charter of the city of Maysville.

An act to incorporate the Catlettsburg and Grayson Plank Road Company.

An act regulating the terms of the Clarke and Madison County Courts.

An act to amend the law regulating tolls on the Wilderness Turnpike Road.

Were taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act providing the mode for the prosecution of slaves for felony, was read a second time.

On motion of Mr. Dulin,

Ordered, That said bill be laid on the table.

A bill from the Senate, entitled, an act to impose a tax upon the sale of lottery tickets, was read the first time.

On motion of Mr. Hanson,

Ordered, That said bill be laid on the table.

The amendment proposed by the Senate to the amendments proposed by this House to a bill from the Senate, entitled, an act to amend an

act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851, was taken up, twice read, and concurred in.

Bills from the Senate, of the following titles, viz:

1. An act for the benefit of G. W. V. McConnell, of Woodford county.

2. An act to authorize the Trustees of the town of Versailles, and the County Court of Woodford county to give power to a company to establish water works in said town.

3. An act to establish an additional election precinct in Scott county.

4. An act to change the Magistrates' and Constables' Districts in Carter county.

5. An act to amend an act, entitled, an act to incorporate the town of West Point, in Hardin county, approved January 15, 1848.

6. An act providing for the relief and discharge of securities for public officers.

7. An act to amend the charter of the town of Crab Orchard.

8. An act to incorporate a Turnpike or Plank Road in the county of Franklin.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, and 8th were severally ordered to be read a third time, and the 7th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, and 8th bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The amendment proposed by the Senate as a substitute for the bill from this House, entitled, an act concerning free negroes and mulattoes, was then taken up.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Owsley and W. M. Green, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	Thomas S. Grundy,	Thomas Y. Payne,
John B. Arnold,	George M. Hampton,	Edward C. Purdy,
Robert A. Athey,	Samuel Hanson,	C. C. Rogers,
William Bradley,	Randall G. Hays,	Joseph W. Rowlett,
George R. Burgess,	Lysander Hord,	John L. Sallee,
George T. Campbell,	Samuel B. Jesup,	John Shawhan,
Alexander P. Churchill,	George W. Kavanaugh,	Albert G. Talbott,
Henry R. D. Coleman,	Daniel Landes,	Ambrose H. Talbott,
John W. Cook,	Peter Lashbrooke,	Jesse S. Taylor,
Asbury Dawson,	Joseph H. Lewis,	Wm. T. Terrill,

Edgar B. Gaither,
Bernard H. Garrett,
Samuel L. Geiger,
William M. Gray,
Norvin Green,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
George H. Morrow,
Benjamin L. Owens,
Thomas Todd,
John Tompson,
Elisha F. Wells,
G. W. Williams, of B.
Marcus L. Williams—45.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
R. T. Baker,
William Beeler,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
John B. Bruner,
William H. Calvert,
Robert H. Campbell,
Winston J. Davie,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Squire Gatliff,
Cyrenius W. Gilmore,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Green,
P. B. Hawkins,
Samuel A. Kingman,
Preston H. Leslie,
Caleb W. Logan,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Joel Owsley,
Wm. Preston,
Burwell C. Ritter,
John Rodman,
William T. Ward,
G. W. Williams, of H.,
James T. Woodward—38.

The House then took up the amendments proposed by the Senate to a bill from this House, entitled, an act to abolish the office of President of the Board of Internal Improvement, and change the organization of said Board.

The amendments proposed by the Senate were to strike out the first, second and third sections of said bill, and to amend the title to read, "An act to abolish the office of the Secretary of the Board of Internal Improvement, and to change the organization of said Board."

And the question being then taken on concurring in said amendments, it was decided in the negative; and so the said amendments were disagreed to.

The yeas and nays being required thereon by Messrs. Hanson and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
Robert A. Athey,
R. T. Baker,
George I. Brown,
George P. Brown,
John B. Bruner,
Robert H. Campbell,
John G. Gooch,
Wm. H. Grainger,
P. B. Hawkins,
Lysander Hord,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
William Preston,
C. C. Rogers,
Joseph W. Rowlett,
Albert G. Talbott,
Jesse S. Taylor,
G. W. Williams, of H—22.

Those who voted in the negative, were

James B. Allen,
John B. Arnold,
William Beeler,
Wm. S. Black,
William Bradley,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Jacob S. Golladay,
Alfred F. Graham,
Wm. M. Gray,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,

George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Norvin Green,
William M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
Randall G. Hays,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Joel Owsley,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
John L. Sallee,
John Shawhan,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
Marcus L. Williams,
James T. Woodward—57.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act concerning the Police Judge of the town of Hartford, in Ohio county.

An act for the benefit of George Johnson, of Morganfield.

An act to authorize the Council of the city of Covington to create two additional voting precincts in said city.

An act in relation to the commissions of officers.

An act exempting every custom house, post office, court room, and other offices that may be erected within this Commonwealth, by the General Government, from taxation.

An act to authorize the Grant County Court to lay an additional levy at their April or May term.

An act for the benefit of C. N. Carden, Constable of Oldham county.

An act for the benefit of James McBride.

An act in relation to the revenue.

An act for the benefit of Colonel R. T. P. Allen.

An act to change the place of voting in an election precinct in Jefferson county.

An act for the benefit of the 57th regiment, in Garrard county.

An act for the benefit of James McConnell.

An act for the benefit of the Sheriff of Knox county.

An act to amend the exemption laws.

An act to incorporate the Newport and Licking Turnpike and Plank Road Company.

An act to provide for changing the place of voting in the 5th district, in Nicholas county.

An act to incorporate the Washington Support and Health Insurance Company.

An act to fix the time of holding Circuit Courts in this Commonwealth.

An act to establish an additional election precinct in Greenup county.

An act to authorize the county of Mercer and county of Boyle to subscribe stock in railroads, and other roads within said counties.

An act to provide for the payment of the unpaid orders of the School Commissioners.

An act to establish a levy and monthly County Court for Jefferson county.

An act to reduce into one the several acts concerning the town of Campbellsville, in Taylor county.

An act to incorporate the Mississippi and Nashville Railroad Company.

An act to regulate the election laws.

An act for the benefit of Samuel G. Mullens, of Mercer county.

An act to amend the act establishing the Morgantown Seminary.

An act to incorporate the Capital Hotel Company of Frankfort.

An act to reduce into one the several acts concerning peddlers, and fixing the amount of tax to be paid by them.

An act to change the lines of a Magistrates' and Constable's District in Boone and Russell counties.

An act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such railroad company as may pass through said counties.

An act to amend the charter of the town of Crittenden, in Grant county.

An act concerning coal mining in Hancock county.

An act to incorporate the Newport Safety Fund Bank of Kentucky.

An act for the benefit of George J. Stockton, and his securities, in two bonds for public arms.

An act for the benefit of A. W. Hamilton, and his securities, in a bond for public arms.

An act to incorporate the Lexington, Harrodsburg, and Bowlinggreen Railroad Company.

And bills which originated in this House, of the following titles, viz:

An act providing for running and marking the line between Knox and Harlan counties.

An act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad, approved March 4, 1850.

An act to authorize the County Court of Montgomery to issue the bonds of said county for Internal Improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

An act to amend an act, entitled, an act to incorporate the town of Lancaster.

An act for the benefit of school districts in Cumberland county.

An act to incorporate Owen Division, No. 220, Sons of Temperance, in Owenton, Owen county.

An act to establish an additional Magistrates' and Constable's district in Nelson county, and to extend the boundary of No. 6.

An act to change the line between Districts Nos. 2 and 3, in Mercer county.

An act to change the places of voting in District No. 3, in Simpson county; in District No. 5, in Woodford county; in District No. 8, in Breckinridge county; and in District No. 6, in Henderson county.

An act to change the boundaries of, and place of voting in Magistrates' and Constables' district No. 2, in Scott county, and the voting place of district No. 2, in Grant county.

An act to change certain districts in Spencer county.

An act establishing certain voting places in Harrison county.

An act to establish a Code of Practice in civil cases in the Courts of this Commonwealth.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to amend an act, entitled, an act to amend the charter of the Oakland Turnpike Company, approved February 14, 1850.

That they had passed a bill from this House, entitled, an act organizing the department of the Auditor of Public Accounts, and fixing the salaries of the officers of said department, with amendments.

That they had passed a bill, entitled, an act for the appropriation of money.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act to fix the salaries of certain officers.

The first and second amendments proposed by the Senate were then concurred in.

The third amendment proposed by the Senate to said bill was to make the Librarian keeper of the State House and Public Grounds, and fix his salary at "four hundred dollars."

Mr. Rowlett moved to amend said amendment by striking out "four hundred dollars," and insert "three hundred and sixteen dollars," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rowlett and Dawson, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
William Beeler,
Wm. S. Black,
Carlo B. Brittain,
George P. Brown,
John B. Bruner,
George T. Campbell,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Edward F. Dulin,
Robert English,
Squire Gatliff,
Samuel L. Geiger,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Samuel B. Jesup,
Daniel Landes,
Preston H. Leslie,
Joseph H. Lewis,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
Benjamin L. Owens,
Joel Owsley,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
William T. Terrill,
Elisha F. Wells,
Marcus L. Williams—40.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Bradley,
George I. Brown,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
John W. Cook,
Alvin Duvall,
Edgar B. Gaither,
Bernard H. Garrett,
Cyrenius W. Gilmore,
William H. Grainger,
Norvin Green,
William M. Green,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
George W. Kavanaugh,
Samuel A. Kingman,
Peter Lashbrooke,
Caleb W. Logan,
George W. Mansfield,
John S. McFarland,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Thomas Y. Payne,
William Preston,
Edward C. Purdy,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
John Tompson,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—46.

The fourth amendment proposed by the Senate to said bill, was to strike out of the bill the words "fifteen hundred," and insert the words "fourteen hundred," as the salary of the Circuit Judges.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
William Bradley,
Carlo B. Brittain,
Squire Gatliff,
Cyrenius W. Gilmore,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
John S. McFarland,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Edward C. Purdy,

George P. Brown,
George R. Burgess,
Wm. H. Calvert,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Edgar B. Gaither,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Randall G. Hays,
George W. Kavanaugh,
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Jesse S. Taylor,
William T. Terrill,
John Tompson,
Elisha F. Wells,
Marcus L. Williams,
James T. Woodward—52.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
George I. Brown,
John B. Bruner,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Bernard H. Garrett,
Samuel L. Geiger,
William H. Grainger,
Samuel Hanson,
Lysander Hord,
Samuel A. Kingman,
Peter Lashbrooke,
Joseph H. Lewis,
Caleb W. Logan,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Thomas Y. Payne,
William Preston,
John Rodman,
C. C. Rogers,
Albert G. Talbott,
Thomas Todd,
William T. Ward,
G. W. Williams, of B.
G. W. Williams, of H—32.

The fifth amendment proposed to said bill by the Senate, was to fix the salary of the Superintendent of Public Instruction at "nine hundred dollars."

And the question being taken on concurring in said amendment, it was decided in the negative; and so said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Davie and Landes, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
James B. Allen,
Robert A. Athey,
R. T. Baker,
William S. Black,
George R. Burgess,
Robert H. Campbell,
Alexander P. Churchill,
Asbury Dawson,
Bernard H. Garrett,
William H. Grainger,
Norvin Green,
William M. Green,
Samuel Hanson,
Lysander Hord,
Samuel A. Kingman,
Daniel Landes,
Joseph H. Lewis,
George W. Mansfield,
John S. McFarland,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
William T. Ward,
G. W. Williams, of B—38.

Those who voted in the negative, were

John B. Arnold,
William Beeler,
William Bradley,
Alvin Duvall,
Robert English,
Squire Gatliff,
Preston H. Leslie,
Daniel Matthewson,
Hiram McElroy,

Carlo B. Brittain,	Samuel L. Geiger,	Joel Murphy,
George I. Brown,	Cyrenius W. Gilmore,	Benjamin L. Owens,
George P. Brown,	Jacob S. Golladay,	Joel Owsley,
John B. Bruner,	John G. Gooch,	Thomas Y. Payne,
William H. Calvert,	Alfred F. Graham,	William Preston,
George T. Campbell,	William M. Gray,	John L. Sallee,
Henry R. D. Coleman,	Thomas S. Grundy,	John Shawhan,
John W. Cook,	Geo. M. Hampton,	George W. Silvertooth,
Winston J. Davie,	Randall G. Hays,	Elisha F. Wells,
Lucius Desha,	Samuel B. Jesup,	G. W. Williams, of H.
Joseph Dougherty,	Geo. W. Kavanaugh,	Marcus L. Williams,
Edward F. Dulin,	Peter Lashbrooke,	James T. Woodward—45.

The 6th, 7th, and 8th amendments proposed by the Senate to said bill were then concurred in.

A bill from the Senate, entitled, an act for the appropriation of money, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. W. M. Green moved to amend said bill by striking out "ten," in the salary of the Clerk of the Senate and House of Representatives, and inserting "eight."

Mr. Ward moved to lay said amendment on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. M. Green and G. I. Brown, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	Morton P. Moore,
James M. Alexander,	Jacob S. Golladay,	George H. Morrow,
Wm. W. Alexander,	William H. Grainger,	Joel Murphy,
John B. Arnold,	Norvin Green,	Benjamin L. Owens,
Robert A. Athey,	Thomas S. Grundy,	Joel Owsley,
R. T. Baker,	Samuel Hanson,	Thomas Y. Payne,
Wm. Bradley,	P. B. Hawkins,	William Preston,
Carlo B. Brittain,	Randall G. Hays,	Edward C. Purdy,
George I. Brown,	Lysander Hord,	Burwell C. Ritter.
George P. Brown,	Samuel B. Jesup,	C. C. Rogers,
John B. Bruner,	Samuel A. Kingman,	Albert G. Talbott,
George R. Burgess,	Daniel Landes,	Ambrose H. Talbott,
Wm. H. Calvert,	Peter Lashbrooke,	Jesse S. Taylor,
Robert H. Campbell,	Joseph H. Lewis,	Thomas Todd.
George T. Campbell,	Caleb W. Logan,	John Tompson,
Alexander P. Churchill,	George W. Mansfield,	Wm. T. Ward,
Edward F. Dulin,	Hiram McElroy,	G. W. Williams, of B.
Alvin Duvall,	John S. McFarland,	G. W. Williams, of H.
Edgar B. Gaither,	James P. Metcalfe,	Marcus L. Wiillams,
Bernard H. Garrett,	Strother D. Mitchell,	James T. Woodward—61.
Samuel L. Geiger,		

Those who voted in the negative, were

James B. Allen,
Wm. S. Black,
Henry R. D. Coleman,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Squire Gatliff,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Wm. M. Green,
George M. Hampton,
Preston H. Leslie,
Daniel Matthewson,
John Rodman,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Wm. T. Terrill,
Elisha F. Wells—23.

Mr. Rowlett moved to amend said bill by striking out the appropriation of "one hundred and twenty-three dollars" to the servant in the Senate, and inserting "sixty-five dollars."

Mr. Payne moved to lay said amendment on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rowlett and Garrett, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)
James M. Alexander,
William W. Alexander,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
Wm. Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
George R. Burgess,
Wm. H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Edward F. Dulin,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Wm. H. Grainger,
Wm. M. Green,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel A. Kingman,
Peter Lashbrooke,
oseph H. Lewis,
Caleb W. Logan,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Joel Owsley,
Thomas Y. Payne,
Wm. Preston,
Edward C. Purdy,
C. C. Rogers,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
Thomas Todd,
William T. Ward,
George W. Williams, of B.
G. W. Williams, of H.
James T. Woodward—50.

Those who voted in the negative, were

James B. Allen,
William S. Black,
George T. Campbell,
Henry R. D. Coleman,
J. W. Cook,
Winston J. Davie,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Bernard H. Garrett,
Squire Gatliff,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
George W. Kavanaugh.
Daniel Landes,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Benjamin L. Owens,
Burwell C. Ritter,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Wm. T. Terrill,
John Tompson,
Elisha F. Wells,
Marcus L. Williams—32.

Mr. Rogers moved to amend said bill by adding thereto the following, viz:

To Thomas S. Theobald, $1,635 89½, being the amount found to be due him from the commonwealth, by the decree of the general court, rendered at February term, 1849, and affirmed by the court of appeals; which sum shall be paid to said Theobald out of any money in the treasury not otherwise appropriated, together with interest from the 9th day of February, 1849.

Mr. Desha moved to lay said amendment on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rogers and M. L. Williams, were as follows, viz:

Those who voted in the affirmative, were

James B. Allen,	John G. Gooch,	George H. Morrow,
John B. Arnold,	Alfred F. Graham,	Joel Murphy,
William S. Black,	William M. Gray,	Benjamin L. Owens,
William Bradley,	Norvin Green,	Joel Owsley,
Carlo B. Brittain,	William M. Green,	Edward C. Purdy,
John B. Bruner,	Thomas S. Grundy,	Burwell C. Ritter,
George T. Campbell,	George M. Hampton,	John Rodman,
Henry R. D. Coleman,	Randall G. Hays,	Joseph W. Rowlett,
John W. Cook,	Samuel B. Jesup,	John L. Sallee,
Asbury Dawson,	George W. Kavanaugh,	John Shawhan,
Lucius Desha,	Samuel A. Kingman,	Ambrose H. Talbott,
Joseph Dougherty,	Daniel Landes,	Wm. T. Terrill,
Robert English,	Peter Lashbrooke,	John Tompson,
Edgar B. Gaither,	Preston H. Leslie,	William T. Ward,
Squire Gatliff,	George W. Mansfield,	Elisha F. Wells,
Cyrenius W. Gilmore,	Daniel Matthewson,	G. W. Williams, of H.
Jacob S. Golladay,	Hiram McElroy,	Marcus L. Williams—51.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Samuel L. Geiger,	Thomas Y. Payne,
Robert A. Athey,	William H. Grainger,	William Preston,
R. T. Baker,	Samuel Hanson,	C. C. Rogers,
George I. Brown,	P. B. Hawkins,	Albert G. Talbott,
George R. Burgess,	Lysander Hord,	Jesse S. Taylor,
Wm. H. Calvert,	Joseph H. Lewis,	Thomas Todd,
Alexander P. Churchill,	Caleb W. Logan,	G. W. Williams, of B.
Winston J. Davie,	James P. Metcalfe,	James T. Woodward—26.
Edward F. Dulin,	Strother D. Mitchell,	

Mr. Gooch moved to amend said bill in the first clause, fixing the compensation to the Speaker of the Senate and House of Representatives, by adding the following proviso, viz:

Provided, That the members and officers of the Senate and House of Representatives shall not be allowed any per diem pay from the 21st day of December, 1850, to the 5th of January, 1851, inclusive.

The Speaker decided the amendment out of order, as the subject mat-

ter contained in said amendment had theretofore been decided by the House.

From which decision of the Chair Mr. Gooch took an appeal.

Mr. Preston moved to lay said appeal on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Davie and R. H. Campbell, were as follows, viz:

Those who voted in the affirmative, were

William W. Alexander,	Cyrenius W. Gilmore,	Morton P. Moore,
James B. Allen,	Alfred F. Graham,	George H. Morrow,
John B. Arnold,	Wm. H. Grainger,	Joel Murphy,
Robert A. Athey,	Wm. M. Gray,	Benjamin L. Owens,
R. T. Baker,	Norvin Green,	Joel Owsley,
William Beeler,	William M. Green,	Thomas Y. Payne,
William S. Black,	Samuel Hanson,	Wm. Preston,
Wm. Bradley,	P. B. Hawkins,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	Burwell C. Ritter,
George P. Brown,	Lysander Hord,	Albert G. Talbott,
John B. Bruner,	Samuel B. Jesup,	Jesse S. Taylor,
George R. Burgess,	Daniel Landes,	Thomas Todd,
Robert H. Campbell,	Peter Lashbrooke,	John Tompson,
George T. Campbell,	Joseph H. Lewis,	William T. Ward,
Joseph Dougherty,	Caleb W. Logan,	Elisha F. Wells,
Edward F. Dulin,	George W. Mansfield,	G. W. Williams, of H.
Robert English,	Hiram McElroy,	Marcus L. Williams,
Edgar B. Gaither,	John S. McFarland,	James T. Woodward—56.
Samuel L. Geiger,	Strother D. Mitchell,	

Those who voted in the negative, were

William H. Calvert,	John G. Gooch,	John Rodman,
Henry R. D. Coleman,	Thomas S. Grundy,	Christopher C. Rogers,
John W. Cook,	George M. Hampton,	Joseph W. Rowlett,
Winston J. Davie,	George W. Kavanaugh,	John L. Sallee,
Asbury Dawson,	Samuel A. Kingman,	John Shawhan,
Lucius Desha,	Preston H. Leslie,	Ambrose H. Talbott,
Bernard H. Garrett,	Daniel Matthewson,	William T. Terrill—23.
Squire Gatliff,	James P. Metcalfe,	

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Norvin Green,	Joel Owsley,
James M. Alexander,	William M. Green,	Thomas Y. Payne,
William W. Alexander,	Samuel Hanson,	William Preston,

John B. Arnold,
Robert A. Athey,
R. T. Baker,
Wm. Beeler,
George I. Brown,
John B. Bruner,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
Alexander P. Churchill,
Winston J. Davie,
Edward F. Dulin,
Robert English,
Samuel L. Geiger,
Cyrenius W. Gilmore,
Jacob S. Golladay,
Alfred F. Graham,
Wm. H. Grainger,
P. B. Hawkins,
Randall G. Hays,
Lysander Hord,
Samuel B. Jesup,
George W. Kavanaugh,
Samuel A. Kingman,
Peter Lashbrooke,
Joseph H. Lewis,
Caleb W. Logan,
George W. Mansfield,
Hiram McElroy,
John S. McFarland,
James P. Metcalfe,
Strother D. Mitchell,
Morton P. Moore,
Joel Murphy,
Benjamin L. Owens,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
John L. Sallee,
Albert G. Talbott,
Ambrose H. Talbott,
Jesse S. Taylor,
William T. Terrill,
Thomas Todd,
John Tompson,
William T. Ward,
Elisha F. Wells,
Geo. W. Williams, of B.
G. W. Williams, of H.
Marcus L. Williams.
James T. Woodward—61.

Those who voted in the negative, were

James B. Allen,
William S. Black,
William Bradley,
Carlo B. Brittain,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Bernard H. Garrett,
Squire Gatliff,
John G. Gooch,
William M. Gray,
Thomas S. Grundy,
George M. Hampton,
Daniel Landes,
Preston H. Leslie,
Daniel Matthewson,
George H. Morrow,
Joseph W. Rowlett,
John Shawhan—22.

A message was received from the Senate, announcing that they had passed bills from this House of the following titles, viz:

An act to authorize Constables in Louisville, and certain districts in certain counties to appoint deputies.

An act to amend the charter of Cynthiana and Millersburg Turnpike Road Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate a company to construct a bridge over Salt river.

An act prohibiting the setting fire to leaves in the woods.

An act to change the boundary lines of Districts Nos. 1 and 2, in Mercer county.

An act for the benefit of James McMillan, in Mason county.

An act to amend the road law in Greenup county.

An act regulating proceedings against officers.

Mr. N. Green, from the select committee to whom was referred the petitions of sundry citizens, made the following report, accompanied by a bill; which report and bill read as follows, viz:

The select committee, to whom were referred the several petitions of sundry citizens of the counties of Nelson, Bullitt, Daviess, Muhlenburg, and Fleming, have had the same under consideration, and report:

That we find the petitions, though coming from different quarters of the state, complaining of a common grievance, and asking the same measure of relief.

The petitioners are all represented as respectable physicians, engaged in the pursuit of their profession, whose general standard of eminence they expect to elevate by the regulation they desire, while it will throw an essential safeguard around the physical welfare of community. The enactment they pray, we believe, is the general desire of that profession. The state medical society which assembled at this capital in 1842, regarded it one of their highest duties to place this grievance properly before their brethren and the country; and, in the name of the highest interests of the profession and the public welfare, to ask of the legislature some little attention to a subject of such vast importance to every member of society. That society, after mature deliberation, unanimously "resolved, that the interests of the medical profession, and of the public in general, would be promoted by the establishment of a board of examining physicians, who shall meet annually, for the purpose of conferring diplomas."

This resolution, we believe, embodies the sentiment of a large majority of the medical profession, and the committee are sensibly impressed with the great necessity of such enactment, especially for the interests and protection of the health and lives of our citizens generally, from the senseless tamperings of bigoted empyricism, and the reckless destruction of arrogant and selfish quackery.

To this conclusion the committee are more irresistibly forced, from the number of instances under their several observations, in which men have entered upon the profession of medicine, and from a popular address, obtained for a time a considerable business, who were absolutely incapacitated by nature, temperament, sense, or education, for the simplest of its requisite discriminations in disease, or the administration of the plainest of its potent remedies. Nevertheless, they have dived at once into its deepest intricacies of practice, and undertaken its most delicate responsibilities, with a *nonchalance* and complacency that could only be felt and exhibited by one entirely insensible of the importance of his trust, but which is too often mistaken for the self-confidence of a man who knows himself eminent.

For this evil there doubtless should be a remedy. That the evil exists throughout the state, we believe every community, if not every observing citizen, is fully satisfied. It may not, and probably has not been loudly complained of in every quarter, but such silence may be very rationally attributed to the difficulty of applying the remedy. Of this difficulty the committee, too, are deeply sensible. It has appeared difficult to devise a system of qualification sufficiently rigorous to meet the evil, that would not, in its execution, operate as a proscription of a large class of medical practitioners of the different sects in medicine, to whose peculiar method of treating disease, many of our citizens are devoted. Such a result, the committee would greatly deprecate. We would not

plot a persecution against any sect, however insignificant, nor attempt to drive from a fair competition to public favor, any system or denomination of medical practitioners, known amongst our citizens. On the other hand, we believe the proposition would be equally beneficial to Botanics, Eclectics, and Homeopathists, by relieving them, too, from the great burthen of so large a proportion of their several votaries, who do not understand, as they should do, the principles upon which their system is based.

In fine, the committee do not wish to be understood as expressing the opinion that it is either systems, sects, or classes of medical practitioners that do the mischief or constitute the evil complained of, but *incompetent individuals* of every class and persuasion. From such individuals and their destructive quackeries, the committee are well persuaded the country would be in a great measure protected, by the establishment of the state board of medical examiners, and the prohibition of any man from hereafter entering upon the practice of medicine unless he have a license of qualification from this board, or a regular diploma from some school of medicine, authorized by the laws of this or any other commonwealth of the United States to confer degrees.

This enactment your committee regard as an important safeguard to the lives and well-being of our fellow-citizens of every class, and the only wonder is, that it has been so long neglected. The interests of property have long been protected from the care of an attorney, unless he have a license of qualification, and our present constitution, so overwhelmingly indorsed by the popular vote, carries the same prohibition, without prerequisite qualification, into all the judicial and ministerial offices of the state government. If, then, a man is not to be entrusted with the administration of the laws, nor even the keeping of important records, without a prerequisite qualification of law, will you entrust one to minister around the sick bed, or take into his charge the issues of life, without the slightest evidence, from any authority, that he knows anything whatever of the important and responsible duty he assumes? If an attorney is not to be trusted with the interests of property in the transaction of the plainest business at law, without a license, shall a surgeon be allowed to undertake the most delicate and hazardous operations, or a physician be entrusted with the higher interests of human life and health, the comfort and earthly happiness of his fellows, without a line of prerequisite qualification being required by the law to protect the unwary from the abuse of selfish imposters? Surely as much should be required, at least, in the latter as in the former case; and that the physician or surgeon who assumes these important duties, should first undergo an examination of a qualified board and obtain a certificate of competence for his profession, strikes your committee as at once the plainest and simplest suggestion of self-protection.

But the committee are also of opinion that the establishment of a state examining board would greatly promote the dignity of the medical profession and elevate its standard of scientific attainment throughout Kentucky. Such was the sentiment of the state medical convention in 1842, and the reasonings they presented in favor of such a result, we think perfectly conclusive. In a circular published by that convention, Ireland is referred to as having "a dozen schools of medicine, and but one ex-

amining board;" and the examining boards of surgeons and physicians in London, we are told, require only of candidates to pass satisfactorily a thorough and rigorous examination, without regard to the place or manner in which they had acquired their professional education. The circular then says: "It is a little surprising that we are politically a republic and medically an oligarchy, whilst in most of the nations of Europe medicine is a republic and government a species of oligarchy." Against this the convention earnestly protest, and hold that "the concentration of the various departments of power and patronage in the hands of the few, not only leads to abuses, but paralyzes the energies of the many." "Let us, then, have the necessary check to balance," say they; "let us adopt the plan which experience and reason have proven to be best, and which common sense unites with common justice in demanding, that we may enjoy the blessings of republicanism in science and letters as well as in government."

Now, while the committee concur with the medical convention, that it is neither just nor politic to confer *exclusive* right and power on two or three chartered institutions to educate and qualify men for the medical profession, we cannot see the justice or propriety of going to the opposite extreme, and taking away the chartered right secured to those institutions by law, in order that all may be brought to a common board of state appointment for graduation. Such a remedy we believe more radical than the case requires, and would be a practical infringement of the vested rights secured them by their legal charters. Besides, we believe the whole object may be attained without such innovation.

If it is true, as charged by many of the profession, that the chartered schools are lowering the standard of medical attainment, by a loose system of graduating anybody and everybody who will pay the fees of two full courses, and attend the lecture rooms with tolerable punctuality for two sessions of less than four months each, then establish the examining college; let it fix upon an elevated standard of graduation; let private tutors bring forward their pupils with better preparation and higher attainment; and the schools will be driven to a closer scrutiny of their graduates, that they may attain a character they would desire before the ruling tribunal of enlightened public sentiment.

This plan, then, would accomplish everything that both the country and the profession demand in the premises. It would protect the profession, and community at large, as well, perhaps, as any legal interdiction can protect them, from the abuses of quackery, while it would open to competent medical gentlemen in every section, the fair and equal right of preparing their pupils for an honorable career in the profession he loves, and to our ambitious young men, of native talents, who may happen to be too poor to obtain the usual college education in medicine, it would open wide the door of respectable access to an honorable profession, where their qualifications may be attested by merit alone, without the prerequisite of paying a bonus of several hundred dollars to a chartered monopoly.

But we wage no war upon the schools. Our object is not to injure them; but, primarily, to protect our citizens, and collaterally, to advance the profession. We do not want medical teaching wrested from their hands, but that a more accessible college or board of graduation may

be established, before whom it will not be oppressive to require every aspirant to come for examination, and for which examination, the honor and profit of directing the preparation of a portion of the candidates may be retained in the hands of their competent brethren. In the language of the circular already quoted from: "We would not desire to dash the cup of nectar from their lips, but to see the profession at large aroused from a state of collapse and lethargy by a few drops of its inspiring contents. * * * * * The truth is, the establishment of the board would place the schools on the only ground they should occupy—that of their real merit and utility—and that they possess both, and are capable of a great deal more, we are free to admit."

The committee might pursue this subject at great length, but are content to present an outline of our views of the general policy of the organization we propose. Suffice it, that we believe it would promote the interests of the profession and the public. It would protect community by ruling out the most glaring quackery, and promote the general welfare by elevating the standard of medical excellence. It would act presently by stimulating the present race of physicians to close study, in order to enable themselves to discharge the responsible and honorable duties it would devolve upon them, and prospectively by encouraging our youth to higher attainments, well knowing that they would have to stand before an ordeal where sinister influences could not be made accessible—where the rich and the poor must stand upon equal footing—where nothing could avail but that which study alone can bestow, and where honors would be the reward of genius and industry only. "The sworn guardians of professional weal and public health, the sanction of such an institution would soon be sought with avidity by the student, and regarded as the highest evidence of adequate qualification by the community."

Nor do we regard the prerequisite qualification of a license from this board of any less importance in the case of the druggist and apothecary. Of this necessity, we cannot better advise the house than by giving from the memorial of R. S. Strother and others the following paragraph:

"We would also assure your honorable body, that the profession of apothecary is frequently assumed by individuals having no knowledge of the composition or preparation of medicines: the too frequent consequence of which is, that a spurious and adulterated article is sold, which is not only void of the requisite medical virtue, but is absolutely destructive to health, and often to life. As an instance of the amount of fraud practiced in this department, we need only refer you to the fact, that within the first year after the drug bill passed by congress went into operation, no less than ninety thousand pounds of spurious and adulterated articles, imported into this couniry for medicine, were arrested in the port of New York alone."

Such frauds, no less than the appaling casualties so frequently paining our hearts, as occurring from the carelessness or incompetence of apothecaries, call loudly for some legal safeguard to life and health from the inefficiency and abuses of this responsible branch of medical science, which so eminently holds the position of ministering hand-maid to the healing art.

The plan of organization upon which the committee have determined, will impose no burthen upon the public treasury. Though it has been thought best to pay members of the board a stated compensation, that they may be in no degree dependent upon the candidate for their indorsement for the emoluments of their office; yet it is thought very manifest that the fees paid by the candidates would more than indemnify the state for the outlay; and indeed the committee feel confident the income of the organization could be made to far exceed any reasonable remuneration to the examiners, and prove a source of revenue to the government. For this plan, too, there is abundant precedent in the laws of our sister states; the most prominent example of which is in the state of Louisiana, whose citizens have enjoyed the legal protection of a similar enactment since the year 1816.

All of which is respectfully submitted, with the following bill.

NORVIN GREEN, *Chairman.*
JOEL OWSLEY,
WM. H. GARDNER,
JAS. B. ALLEN,
THOS. W. RILEY,
Committee.

I dissent from so much of the foregoing report as I would except the graduates of any school from the provisions of the proposed law.

WM. H. GARDNER.

AN ACT TO ESTABLISH THE STATE BOARD OF MEDICAL EXAMINERS.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be and is hereby organized and established a state board of medical examiners, to consist of six persons learned in the science and skilled in the practice of medicine and surgery, and two skillful and experienced apothecaries—all of whom shall be citizens of Kentucky; but at no time shall the professors of any one authorized school or college of medicine constitute a majority of said board. This board, when so organized, shall assemble every year, on the first Monday in April, at the capitol in Frankfort, for the purpose of examining and licensing such persons as may present themselves, and shall, upon rigorous examination, be found qualified for the several duties of physician, surgeon, and apothecary, or for either of said branches.

§ 2. That it shall be the duty of the governor, by and with the advice and consent of the senate, to appoint suitable persons having the qualifications specified in the foregoing section, to constitute said board; four of whom shall be specified as holding their said office until the first day of January, 1855, and the other four until the first day of January, 1859; so that after the first appointment one half of said board shall be appointed in like manner every four years; and the appointments shall be for the uniform term of eight years, except in case of vacancy, when an appointment shall be made in like manner for the remainder of the unexpired term of the examiner so vacating.

§ 3. That it shall be the duty of said board of examiners, when assembled according to the provisions of this act, to proceed to examine, by

searching questions, into the education, qualification, and capacity of every person who may present himself as a candidate for a license to practice in any branch of medicine or surgery, or to engage in the preparation or sale of any medicines: *Provided*, said candidate, so presenting, shall first produce satisfactory evidence of good moral character, and of having prosecuted the study of medicine, or of the branch thereof to which he aspires, for a sufficient period of time, and under a competent preceptor, together with the receipt of the auditor of public accounts, that he has paid into the treasury of the state the sum of twenty dollars for the privilege of such examination. And every such candidate, who shall be deemed fully competent to discharge the duties of said profession, or the branch thereof to which he aspires, by at least five of said examiners, shall receive from said board a license to engage in the practice or business for which he has been deemed so competent, to be signed by at least five members of said board, and countersigned by the governor and secretary of state, with the seal of the commonwealth thereto attached.

§ 4. That any and every person who may be found after the day of , in the year , engaged in the practice of medicine or surgery, or the business of an apothecary, without first having obtained a license after the manner prescribed in this act, shall be deemed guilty of a misdemeanor, and may, upon trial, after a presentment by a grand jury, be fined in any sum not exceeding , nor less than dollars; nor shall any fee or account for services rendered, or medicine administered or sold by such person, be collectible by law: *Provided*, that nothing contained in this section shall apply to any physician or apothecary engaged in their said business, with fair reputation, at the time of the passage of this act, nor to any graduate of any legally authorized school of medicine, empowered by the laws of this or any other commonwealth in the United States, to confer the degree of doctor of medicine, nor to any female now engaged or who may hereafter engage in the practice of midwifery.

§ 5. That the members of said board of examiners, before entering upon the duties of their office, shall severally take and subscribe an oath, honestly and faithfully to discharge the duties of said office, according to the constitution and laws of this commonwealth, without favor or partiality to any one. Any five of said board shall constitute a quorum to do business; and such quorum may elect one of their body president, enact rules and by-laws for the government of their sessions, continue their said annual sessions from day to day, for any period not exceeding thirty days, or until all the candidates so presenting shall have been examined; and each member of said board shall be entitled to receive from the public treasury, the sum of dollars per day, for every day during his attendance on the sessions of the said board of examiners.

On motion of Mr. N. Green,

Ordered, That the Public Printer forthwith print 1,000 copies of said report and bill for the use of the members of this House.

Mr. W. M. Green moved a reconsideration of the vote disagreeing to a bill from the Senate, entitled, an act appropriating money to the

Frankfort Cemetery Company, James Bell, and Robert Stevenson, for work and labor done and materials furnished in the improvements lately made around the State Military Monument.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	George H. Morrow,
James M. Alexander,	William H. Grainger,	Joel Murphy,
William W. Alexander,	Norvin Green,	Benjamin L. Owens,
Robert A. Athey,	William M. Green,	Thomas Y. Payne,
R. T. Baker,	Samuel Hanson,	William Preston,
Wm. Bradley,	P. B. Hawkins,	Edward C. Purdy,
George I. Brown,	Randall G. Hays,	Burwell C. Ritter,
John B. Bruner,	Lysander Hord,	John Rodman,
George R. Burgess,	George W. Kavanaugh,	C. C. Rogers,
William H. Calvert,	Samuel A. Kingman,	Albert G. Talbott,
Robert H. Campbell,	Daniel Landes,	Ambrose H. Talbott,
Alexander P. Churchill,	Peter Lashbrooke,	Jesse S. Taylor,
John W. Cook,	Joseph H. Lewis,	Thomas Todd,
Winston J. Davie,	Caleb W. Logan,	William T. Ward,
Lucius Desha,	Hiram McElroy,	G. W. Williams, of B.
Edward F. Dulin,	John S. McFarland,	G. W. Williams, of H.
Alvin Duvall,	James P. Metcalfe,	Marcus L. Williams,
Samuel L. Geiger,	Strother D. Mitchell,	James T. Woodward—56.
Cyrenius W. Gilmore,	Morton P. Moore,	

Those who voted in the negative, were

James B. Allen,	John G. Gooch,	Joel Owsley,
Wm. S. Black,	Alfred F. Graham,	Joseph W. Rowlett,
George T. Campbell,	William M. Gray,	John L. Sallee,
Henry R. D. Coleman,	Thomas S. Grundy,	John Shawhan,
Asbury Dawson,	George M. Hampton,	William T. Terrill,
Joseph Dougherty,	Preston H. Leslie,	John Tompson,
Bernard H. Garrett,	George W. Mansfield,	Elisha F. Wells—23.
Squire Gatliff,	Daniel Matthewson,	

Resolved, That the title thereof be as aforesaid.

An engrossed bill, entitled, an act to establish Districts in the county of Bath, was read a third time.

Mr. Kavanaugh moved the previous question, and it was decided in the affirmative.

Mr. Gatliff moved a reconsideration of the vote ordering the previous question.

Mr. Garrett moved to lay said motion on the table, and it was decided in the negative.

The question was then taken on reconsidering the vote ordering the previous question, and it was decided in the affirmative.

Mr. Mitchell moved to amend said bill by adding the following engrossed clause by way of ryder, viz:

That Andrew Trumbo be and he is hereby appointed an additional commissioner to district said county.

Mr. Todd moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. A. G. Talbott, from the committee on the Expenditure of the Board of Internal Improvement, made the following report, viz:

The committee on the expenditures of the board of internal Improvements report, that they have examined the books and accounts of the board from the 9th day of October, 1849, to the 1st day of January, 1851, inclusive, and find them correct, as evidenced by the vouchers on file in the auditor's office, and as presented in the reports of the president of the board and the first auditor, for the same time.

All of which is respectfully submitted.

A. G. TALBOTT, *Chairman.*

Mr. Mitchell, from the committee on the Sinking Fund, made the following report, viz:

The committee on the sinking fund, having had nothing specially referred to them, save one isolated question, have had under consideration only its general condition and its prospects.

The constitution provides that "the resources of the sinking fund, as now established by law, shall not be diminished until the state debt be paid." In view of this, the committee have thought it within the legitimate scope of their inquiries, if indeed it is not their imperative duty, to ascertain what are the resources of the sinking fund, as now established by law, and what the debt it must discharge.

The whole debt of the state amounts to $4,497,637 81. As to the items that constitute this debt, see report of the board of commissioners on the sinking fund, page 1.

By reference to the reports of former committees, of the board of commissioners, and of the auditor, and to legislative acts and executive messages, they find the resources of the sinking fund, as now established by law, correctly estimated in a list appended to the auditor's report of 1849–50, which is republished and appended to the auditor's tabular statements accompanying the report of the commissioners on the sinking fund to the present general assembly. See report, page 21.

Many of these items are merely nominal in their amounts. If sold, it would be impossible for the state to realize for them anything like their nominal value. Therefore, it is impracticable to estimate the real value of the state's interest in the different items composing the sinking fund: nor is it material, at this time, that such an estimate should be made. It is sufficient to know what the fund is composed of, as already shown, and what its last annual income and expenditures amount to.

The duty of exhibiting to the legislature, in detail, the yearly receipts and expenditures of the sinking fund, has heretofore usually been per-

formed, or rather condensed by way of recapitulation, by the committee —the commissioners generally giving them in aggregate amounts. But the present accomplished auditor has relieved the committee of this task. By reference to his tabular statements, annexed to the report of the commissioners, which are complete and perfect in themselves, each item of the receipts and expenditures of that fund up to January 1, 1851, will be found under its appropriate head. The report of the commissioners, which is as simple and plain as good sense can make it, alone exhibits the aggregate amount of these items.

Hence, after a careful examination, the committee are satisfied that any attempt on their part, statistically to set forth the general condition of the sinking fund, or to simplify the exposition of its receipts and expenditures for the past year, as already exhibited in the able report of the commissioners on the sinking fund, accompanied, as it is, by the tabular statements of the auditor, would tend rather to confuse than to enlighten. That report embraces the whole subject, and leaves nothing material to the welfare and prosperity of the fund for the committee to communicate. Indeed, was it not that usage demanded at their hands a report of some character, they would have deemed it useless to have said anything in reference to the fund.

As to exhibiting the prospects of the fund for the passing year, the board of commissioners have also relieved the committee of that labor. In their lucid report, everything in relation to the condition and immediate prospects of the fund is plainly set forth. Doubtless their estimate of the probable income for the year ending January 1, 1852, is, if any odds, a little too small. But this is the result of prudence and caution, and is a very safe data for legislative action.

The commissioners suggest that the legislature should direct, by law, the payment or investment of the Craddock fund, amounting now to $6,592 81: The committee are unanimously of the opinion that this should be left to the sound discretion of the commissioners themselves. They have managed the sinking fund with ability and economy. In the last year, by purchasing five per cent. bonds under their nominal value, they have gained to the state the sum of $4,039 68. See report of commissioners, page 19. But as the committee on the sinking fund of the senate have reported, or purpose reporting a bill authorizing this to be done by the board of commissioners, the committee have deemed it better to await the result of the action of that body, than to report a bill to the house.

If the sinking fund is made responsible for the school fund, it will be necessary to increase its resources. As to how they shall be increased, this, perhaps, is the province of the committee on ways and means, rather than the duty of this committee.

In this brief statement, they submit the result of their investigations.

Very respectfully,

STROTHER D. MITCHELL, *Chairman.*
JAMES T. WOODWARD,
A. P. GHURCHILL,
GEORGE W. SILVERTOOTH,
AMBROSE H. TALBOTT,
Committee.

Mr. Rodman, from the committee on Public Offices, made the following report, viz:

The committee on public offices report, that they have not very critically examined the public offices and buildings, but are satisfied that the books, accounts, and papers of the auditor of public accounts, the second auditor, treasurer, and register of the land office, have been kept with correctness.

The public buildings are in a *tolerable* condition.

Your committee suggest that the propinquity of certain "gas works" to this capitol neither add to the beauty of the prospect, nor to the comfort of the legislature; but, producing, as they do, the most "villainous compound of foul scents" that human olfactories were ever subject to, we regard these works as a nuisance, and conceive that the location of either the "gas works" or the capitol be changed to some other part of Frankfort.

All of which is respectfully submitted.

O. P. HOGAN, *Chairman S. C.*
JNO. RODMAN, *Chairman H. R. C.*

A message was received from the Senate, announcing that they had receded from the amendment to the amendment from this House to a bill from the Senate, entitled, an act to amend the charter of the Southern Bank of Kentucky.

That they had passed a bill, entitled, an act to regulate the time of holding the Garrard Circuit Court.

And a resolution directing the Commissioners of the Sinking Fund to pay into the Treasury the January instalment of interest due on the School Fund.

And that they adhere to their amendment to a bill from this House, entitled, an act to abolish the office of President of the Board of Internal Improvement, and change the organization of the Board.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to revise the Statutes.

An act to incorporate the Big Bone Hotel Company.

An act to amend an act to regulate Ferries.

An act prescribing the means and mode of opening and working roads in the county of Boone.

And bills which originated in this House, of the following titles, viz:

An act to provide for the election of the Police Judge and Marshal of the town of Lawrenceburg, and changing the limits of said town.

An act to authorize the people of Logan county to tax themselves, to assist in making the Louisville and Nashville Railroad, and for other Internal Improvements.

An act relative to Assessors of Tax.

An act to change the place of voting in Jamestown, in Campbell county.

An act for the benefit of Uriah G. Berry.

An act to establish two additional election precincts in Bullitt county.

An act for the benefit of Henry G. Mitchell and John Mitchell.

An act in relation to the Marshal of the city of Frankfort.

An act to establish an additional election precinct in Jefferson county.

An act requiring officers of this Commonwealth to execute official bonds, and prescribing the manner of such execution.

An act for the benefit of Turnpike Roads in Lincoln county.

An act repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services.

An act to legalize the subscription of stock by the Franklin County Court, in the Stamping Ground and Frankfort Turnpike Road Company, and to authorize the city of Frankfort to take stock in said road.

An act to amend an act, entitled, an act to incorporate the Transylvania School of Dental Surgery, approved March 7, 1850.

An act to amend the charter of the Newtown and Leesburg Turnpike Road Company

An act supplemental to an act, entitled, an act to incorporate the Lexington Savings Institution, approved February 10, 1851.

An act to provide for the election of a Police Judge in the town of Richmond.

An act for the benefit of Francis McCauley.

An act to authorize the Mayor and Council of the city of Louisville to provide for the times, places and manner of holding the first election in 1851, under the charter of said city.

An act for the benefit of Philip Felton.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The House then took up the bill to increase the revenue for the year 1851, and the amendment proposed thereto by Mr. McFarland.

The said bill reads as follows, viz:

Whereas, it appears that in consequence of appropriations made by the present general assembly, that the present rate of tax will not be sufficient to meet the demands upon the treasury for the year 1851, by about sixty thousand dollars. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, and by virtue and under the authority of the thirty-fifth section and second article of the Constitution, That the governor be and is hereby directed, in the name and for and on behalf of the state of Kentucky, to borrow of any of the banks in the state of Kentucky, or of individuals or corporations, the sum of sixty thousand dollars, at a rate of interest not exceeding six per cent. per annum, and upon the best terms as to time which he can negotiate; which sum of money shall be audited by the second

auditor, and paid into the treasury for the purpose of meeting the deficit as aforesaid. That with a view to pay said debt, so contracted, a tax of *two* cents upon the one hundred dollars worth of property is hereby directed to be collected by the sheriffs of this commonwealth, in addition to the sum now directed to be collected by law for revenue purposes. The sum produced by the taxation hereby levied, is hereby directed to be set apart and appropriated to the payment of the interest and principal of the debt contracted by the provisions of this act; and with a view to such payment, the governor is authorized to issue his order, directing the second auditor to issue his warrant or warrants on the treasurer, in favor of the individual or corporation, or their assigns, for the sums borrowed of them; and upon payment of any such debts, the evidences of such debt, so paid, shall be cancelled in the presence of the governor, second auditor, and treasurer. That with a view to enable the governor to effect such loan, he is hereby vested with full power to issue the bond or bonds of the state, in such form as in his judgment is best, and will enable him to command the money. That the tax hereby directed to be collected, shall not extend beyond the year 1851, unless otherwise directed by the legislature.

The amendment proposed by Mr. McFarland is as follows, viz:

§ 2. *Be it further enacted*, That it shall be the duty of the commissioners of the sinking fund, and they are hereby directed to pay out of the resources of the sinking fund, as the same shall fall due, the coupons, or interest upon the outstanding bonds of the state, held by individuals and corporations, (other than the school fund or bonds,) from year to year; and said commissioners are further required, after the payment of the interest aforesaid, to apply the remaining resources of said sinking fund to the payment of the principal of said bonds, or state debt: *Provided*, the said commissioners shall not pay any premium on said bonds, or purchase in the same at a sum larger than the amount expressed on the face thereof.

§ 3. *Be it further enacted*, That for the purpose of providing for the payment of the interest on the school fund, as required by the 11th article of the constitution, a tax of two and a half cents on each one hundred dollars of taxable property is hereby levied, and the same to be collected by the several sheriffs or collectors of the revenue, for the period of two years, and no longer; the tax so collected shall be set apart and applied to the payment of the interest on the school fund; and should the same not be sufficient to pay all the interest on the school fund, as defined in the 11th article of the constitution, the balance of said interest shall be paid out of any money in the treasury not otherwise appropriated; and thereafter the interest on the school fund shall be faithfully and regularly paid out of the state treasury, unless otherwise provided for by law.

Mr. Logan moved to amend the amendment of Mr. McFarland, by adding the following, viz:

§ 4. *Be it further enacted, and it is hereby declared in pursuance of the requisition of the thirty-fourth section of article second of the Constitution*, That it is the duty of the commissioners of the sinking fund to pay *out*

of the *whole* resources of the sinking fund, from year to year, the coupons or interest upon the outstanding bonds of the state held by individuals or corporations, (other than the school fund or bonds,) and after the payment of the interest aforesaid, to apply the *remaining* resources of said sinking fund, from year to year, towards the payment of the principal of said bonds or state debt: *Provided*, the said commissioners shall not pay any premium on said bonds, or purchase in the same at a sum greater than the amount expressed on the face of them.

§ 5. *Be it further enacted*, That for the purpose of providing for the payment of the interest on the school fund, in accordance with the 11th article of the constitution, a tax of two and one half cents on each one hundred dollars worth of taxable property is hereby levied, and the same shall be collected by the several sheriffs or collectors of the revenue, for the period of two years, and no longer. The tax so collected shall be set apart and applied to the payment of the interest on the school fund; and should the same not be sufficient to pay all the interest on the school fund, as defined in the 11th article of the constitution, the balance of said interest shall be paid out of any money in the treasury not otherwise appropriated, and thereafter the interest on the school fund shall be faithfully and regularly paid out of the state treasury, unless otherwise provided by law: *Provided, however*, that the resources of the sinking fund, as now established by law, shall never be held liable for payment of any part of the school fund.

Mr. N. Green moved to lay the amendment of Mr. Logan on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Logan and Dulin, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Alfred F. Graham,	Joel Murphy,
James M. Alexander,	William M. Gray,	Benjamin L. Owens,
William W. Alexander,	Norvin Green,	Joel Owsley,
James B. Allen,	Wm. M. Green,	Thomas Y. Payne,
William S. Black,	Thomas S. Grundy,	Julian N. Phelps,
Carlo B. Brittain,	George M. Hampton,	Edward C. Purdy,
George R. Burgess,	Samuel Hanson,	Burwell C. Ritter,
George T. Campbell,	P. B. Hawkins,	John Rodman,
Henry R. D. Coleman,	Randall G. Hays,	C. C. Rogers,
J. W. Cook,	Lysander Hord,	Joseph W. Rowlett,
Asbury Dawson,	Samuel B. Jesup,	John L. Sallee,
Lucius Desha,	Daniel Landes,	John Shawhan,
Joseph Dougherty,	Peter Lashbrooke,	George W. Silvertooth,
Robert English,	Preston H. Leslie,	Albert G. Talbott,
Edgar B. Gaither,	George W. Mansfield,	Ambrose H. Talbott,
Bernard H. Garrett,	Daniel Matthewson,	Wm. T. Terrill,
Squire Gatliff,	Hiram McElroy,	John Tompson,
Samuel L. Geiger,	James P. Metcalfe,	William T. Ward,
Cyrenius W. Gilmore,	Strother D. Mitchell,	George W. Williams, of B.
John G. Gooch,	George H. Morrow,	Marcus L. Williams—60.

117

Those who voted in the negative, were

R. T. Baker,
Wm. Beeler,
Wm. Bradley,
George I. Brown,
John B. Bruner,
Wm. H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Jacob S. Golladay,
Wm. H. Grainger,
George W. Kavanaugh.
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
Wm. Preston,
Jesse S. Taylor,
Thomas Todd,
G. W. Williams, of H.
James T. Woodward—19.

Mr. Hanson then moved to lay the amendment of Mr. McFarland on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Logan and McFarland, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
William W. Alexander,
James B. Allen,
John B. Arnold,
Wm. Beeler,
William S. Black,
Carlo B. Brittain,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Bernard H. Garrett,
Squire Gatliff,
Cyrenius W. Gilmore,
Jacob S. Golladay,
John G. Gooch,
Alfred F. Graham,
William M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
George M. Hampton,
Samuel Hanson,
P. B. Hawkins,
Randall G. Hays,
Stilwell Heady,
Lysander Hord,
Samuel B. Jesup,
Samuel A. Kingman,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Burwell C. Ritter,
John Rodman,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
Marcus L. Williams—64.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
R. T. Baker,
William Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Samuel L. Geiger,
William H. Grainger,
George W. Kavanaugh,
Preston H. Leslie,
Joseph H. Lewis,
Caleb W. Logan,
John S. McFarland,
Strother D. Mitchell,
William Preston,
Jesse S. Taylor,
Thomas Todd,
G. W. Williams, of H.
James T. Woodward—22.

Mr. Norvin Green moved a substitute for said bill.

Mr. Davie moved to amend said substitute by striking out the preamble.

Mr. Payne moved the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garret and Baker, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Cyrenius W. Gilmore,	George H. Morrow,
James M. Alexander,	Jacob S. Golladay,	Joel Murphy,
William W. Alexander,	John G. Gooch,	Benjamin L. Owens,
James B. Allen,	Alfred F. Graham,	Joel Owsley,
William Beeler,	Norvin Green,	Thomas Y. Payne,
William S. Black,	William M. Green,	Julian N. Phelps,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George I. Brown,	Samuel Hanson,	Burwell C. Ritter,
George R. Burgess,	P. B. Hawkins,	John Rodman,
Robert H. Campbell,	Randall G. Hays,	C. C. Rogers,
George T. Campbell,	Stilwell Heady,	Joseph W. Rowlett,
Alexander P. Churchill,	Lysander Hord,	John L. Sallee,
Henry R. D. Coleman,	Samuel B. Jesup,	John Shawhan,
John W. Cook,	Daniel Landes,	Albert G. Talbott,
Asbury Dawson,	Peter Lashbrooke,	Ambrose H. Talbott,
Lucius Desha,	Preston H. Leslie,	John Tompson,
Joseph Dougherty,	George W. Mansfield,	William T. Ward,
Alvin Duvall,	Daniel Matthewson,	Elisha F. Wells,
Robert English,	Hiram McElroy,	G. W. Williams, of B.
Edgar B. Gaither,	James P. Metcalfe,	Marcus L. Williams,
Squire Gatliff,	Morton P. Moore,	James T. Woodward—63.

Those who voted in the negative, were

William Bradley,	Edward F. Dulin,	Strother D. Mitchell,
George P. Brown,	Bernard H. Garrett,	George W. Silvertooth,
John B. Bruner,	George W. Kavanaugh,	Jesse S. Taylor,
William H. Calvert,	Joseph H. Lewis,	G. W. Williams, of H—14.
Winston J. Davie,	John S. McFarland,	

The question was then taken on the adoption of the amendment proposed by Mr. Davie to the substitute of Mr. N. Green, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	Burwell C. Ritter,
William W. Alexander,	John G. Gooch,	John Shawhan,
R. T. Baker,	Randall G. Hays,	George W. Silvertooth,
William Beeler,	Stilwell Heady,	Albert G. Talbott,
William Bradley,	Lysander Hord,	Jesse S. Taylor,
John B. Bruner,	Geo. W. Kavanaugh,	Thomas Todd,
Alexander P. Churchill,	Joseph H. Lewis,	G. W. Williams, of B.
Winston J. Davie,	John S. McFarland,	G. W. Williams, of H.
Edward F. Dulin,	Morton P. Moore,	James T. Woodward—27.

Those who voted in the negative, were

James M. Alexander,
William S. Black,
Carlo B. Brittain,
George I. Brown,
George P. Brown,
George R. Burgess,
William H. Calvert,
Robert H. Campbell,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Robert English,
Edgar B. Gaither,
Squire Gatliff,
Samuel L. Geiger,
Alfred F. Graham,
William H. Grainger,
William M. Gray,
Norvin Green,
William M. Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Samuel B. Jesup,
Samuel A. Kingman,
Peter Lashbrooke,
Preston H. Leslie,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Strother D. Mitchell,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
Joseph W. Rowlett,
John L. Sallee,
Ambrose H. Talbott,
William T. Terrill,
John Tompson,
William T. Ward,
Elisha F. Wells,
Marcus L. Williams—50.

The question was then taken on the adoption of the substitute proposed by Mr. N. Green, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grainger and Lashbrooke, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,
Wm. W. Alexander,
James B. Allen,
John B. Arnold,
Wm. S. Black,
Carlo B. Brittain,
George R. Burgess,
George T. Campbell,
Henry R. D. Coleman,
John W. Cook,
Asbury Dawson,
Lucius Desha,
Joseph Dougherty,
Alvin Duvall,
Robert English,
Edgar B. Gaither,
Squire Gatliff,
Cyrenius W. Gilmore,
John G. Gooch,
Alfred F. Graham,
Wm. M. Gray,
Norvin Green,
Wm. M. Green,
Thomas S. Grundy,
Samuel Hanson,
P. B. Hawkins,
Stilwell Heady,
Samuel B. Jesup,
Daniel Landes,
Peter Lashbrooke,
George W. Mansfield,
Daniel Matthewson,
Hiram McElroy,
James P. Metcalfe,
Morton P. Moore,
George H. Morrow,
Joel Murphy,
Benjamin L. Owens,
Joel Owsley,
Thomas Y. Payne,
Julian N. Phelps,
Edward C. Purdy,
C. C. Rogers,
Joseph W. Rowlett,
John L. Sallee,
John Shawhan,
George W. Silvertooth,
Albert G. Talbott,
Ambrose H. Talbott,
Wm. T. Terrill,
John Tompson,
Wm. T. Ward,
Elisha F. Wells,
G. W. Williams, of B.
Marcus L. Wiillams,
James T. Woodward—56.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)
R. T. Baker,
Wm. Bradley,
George I. Brown,
George P. Brown,
John B. Bruner,
Wm. H. Calvert,
Winston J. Davie,
Edward F. Dulin,
Samuel L. Geiger,
Jacob S. Golladay,
William H. Grainger,
Lysander Hord,
George W. Kavanaugh,
Preston H. Leslie,
Joseph H. Lewis,
John S. McFarland,
Strother D. Mitchell,
Burwell C. Ritter.
Jesse S. Taylor,
Thomas Todd.
G. W. Williams, of H—22.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ritter and Kavanaugh, were as follows, viz :

Those who voted in the affirmative, were

William W. Alexander,	Alfred F. Graham,	Joel Murphy,
James B. Allen,	William M. Gray,	Benjamin L. Owens,
John B. Arnold,	Norvin Green,	Thomas Y. Payne,
William S. Black,	William M. Green,	Julian N. Phelps,
Carlo B. Brittain,	Thomas S. Grundy,	Edward C. Purdy,
George R. Burgess,	Samuel Hanson,	C. C. Rogers,
George T. Campbell,	P. B. Hawkins,	George W. Silvertooth,
Henry R. D. Coleman,	Randall G. Hays,	Albert G. Talbott,
John W. Cook,	Stilwell Heady,	Ambrose H. Talbott,
Asbury Dawson,	Samuel B. Jesup,	William T. Terrill,
Lucius Desha,	Daniel Landes,	John Tompson,
Joseph Dougherty,	Peter Lashbrooke,	William T. Ward,
Alvin Duvall,	George W. Mansfield,	Elisha F. Wells,
Edgar B. Gaither,	Daniel Matthewson,	Geo. W. Williams, of B.
Squire Gatliff,	James P. Metcalfe,	Marcus L. Williams.
Cyrenius W. Gilmore,	Morton P. Moore,	James T. Woodward—50.
John G. Gooch,	George H. Morrow,	

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Edward F. Dulin,	Hiram McElroy,
R. T. Baker,	Robert English,	John S. McFarland,
Wm. Beeler,	Bernard H. Garrett,	Strother D. Mitchell,
William Bradley,	Samuel L. Geiger,	Joel Owsley,
George I. Brown,	Jacob S. Golladay,	Burwell C. Ritter,
George P. Brown,	Wm. H. Grainger,	Joseph W. Rowlett,
John B. Bruner,	George M. Hampton,	John L. Sallee,
William H. Calvert,	Lysander Hord,	John Shawhan,
Robert H. Campbell,	George W. Kavanaugh,	Jesse S. Taylor,
Alexander P. Churchill,	Preston H. Leslie,	Thomas Todd,
Winston J. Davie,	Joseph H. Lewis,	G. W. Williams, of H—33.

Resolved, That the title thereof be amended to read: "An act to provide means to meet the casual deficit in the Treasury."

A message was received from the Senate, announcing that they had receded from their fifth amendment to a bill from this House, entitled, an act to fix the salaries of certain officers.

And that they had concurred in the amendments proposed by this House to bills from the Senate, of the following titles, viz :

An act to provide for the organization of the Militia of this State.

An act to provide for a special Court of Appeals.

An act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

An act giving officers further time to collect taxes and fees.

An act to authorize the Circuit Courts of this Commonwealth to direct the sale of the real estate of lunatics.

An act to authorize the sale of the estates of infants and *femes covert*.

That they had passed a bill from this House, entitled, an act concerning the books and records of Justices of the Peace, with amendments.

That they had passed bills from this House of the following titles, viz:

An act to authorize the chairman of the Board of Trustees of Winchester, and certain other public officers, to grant injunctions, &c., &c.

An act to amend an act, entitled, an act to amend the Campbell Turnpike Road Company, and for other purposes, approved February 26, 1849.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved February 26, 1846.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

An act to change the Magistrates' and Constables' Districts in Carter county.

An act to amend an act, entitled, an act to incorporate the town of West Point, in Hardin county, approved January 15, 1848.

An act for the appropriation of money.

An act to establish an additional election precinct in Scott county.

An act to authorize the Trustees of the town of Versailles, and the County Court of Woodford county, to give power to a company to establish water works in said town.

An act providing for the relief and discharge of securities for public officers.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. Kavanaugh moved the following resolution, viz:

Resolved, That the public printer is directed to publish the constitution with the acts of the present general assembly, that the same may be bound in the volume of said acts.

Which was adopted.

The following bills were reported by the committees appointed to prepare and bring in the same, viz:

By Mr. Dougherty—1. A bill to incorporate the Falmouth Library Association.

By the committee on the Code of Practice—2. A bill to authorize the Governor to appoint commissioners in the event of vacancies.

By the committee on Education—3. A bill to levy a tax on the sale of lottery tickets.

By the committee on same—4. A bill for the benefit of the Maysville and Lexington Railroad Company, and the Louisville and Lexington Railroad Company.

By same—5. A bill for the benefit of Martin Houser, of Boyle county.

By the committee on County Courts—6. A bill to authorize the Commissioners of Logan county to re-district said county.

Which were read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time, the 4th on Monday next.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, and 6th bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Mitchell, from the committee on the Sinking Fund, to whom was referred a bill from the Senate, entitled, an act to provide for the payment of State bonds and coupons that are lost, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

Mr. Rogers, from the committee on Education, to whom was referred bills from the Senate of the following titles, viz:

An act for the benefit of Greenwood School District, in Jefferson county.

An act requiring the Superintendent of Public Instruction to keep his office at the seat of government.

Reported the same without amendment.

And the question being taken on reading said bills a third time, it was decided in the negative; and so they were disagreed to.

On motion of Mr. Rogers,

Ordered, That the committee on education be discharged from the further consideration of all matters referred to them during the present session.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to authorize Constables in Louisville, and certain districts in certain counties to appoint deputies.

An act regulating the terms of the Clarke and Madison County Courts.

An act concerning free negroes and mulattoes.

An act to incorporate the Catlettsburg and Grayson Plank Road Company.

An act to change certain districts in Garrard and Nicholas counties.

An act to amend the law regulating tolls on the Wilderness Turnpike Road.

An act to amend the charter of the city of Maysville.

And an act which originated in the Senate, entitled, an act for the benefit of G. W. V. McConnell.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

Mr. McElroy, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled, an act regulating the terms of the Butler and Edmonson Circuit Courts, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, "An act regulating the terms of the Muhlenburg and Hancock Circuit Courts."

Mr. McElroy, from the same committee, to whom was referred a bill

for the benefit of the widow and heirs of James G. Miller, and others, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative; and so the bill was rejected.

Mr. Hanson, from the committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act to amend the charter of the town of Crab Orchard.

An act in relation to the fees of Commonwealth's Attorneys.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act prohibiting the setting fire to leaves in the woods, was read the first time.

Ordered, That said bill be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on County Courts—A bill to alter District No. 2, in Pike county.

By same—A bill to authorize the County Court of Woodford to establish an election precinct and voting place.

By same—A bill authorizing the appointment of Benjamin S. Thomas as deputy sheriff of Hancock county.

By the committee on Ways and Means—A bill for the benefit of the Sheriff of Laurel county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed bills from this House of the following titles, viz:

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets and alleys in Shippingsport to be closed.

An act to incorporate the Iron Works Turnpike Road Company.

An act to repeal an act for the benefit of H. W. Martin, approved March 7, 1850, and for other purposes.

An act to amend the act incorporating the Mayslick and Sardis Turnpike Road Company.

An act to establish a State road in the counties of Caldwell, Livingston and McCracken.

An act to incorporate the Georgetown and Lemmon's Mill Turnpike Road Company.

An act to amend the act incorporating the town of Mayslick.

An act to authorize the Judge of the Scott Circuit Court to sign certain records.

An act to amend an act, entitled, an act to incorporate the town of Neatsville.

An act to increase the powers of administrators with the will annexed.

An act supplemental to an act to prevent the destruction of fish in Barebone creek.

An act to repeal an act for the benefit of the devisees of Alfred Payne, approved March 7, 1850.

An act concerning the establishment of ferries.

An act prohibiting the sale of liquor or goods to the students in the Kentucky Military Institute.

An act more effectually to protect the rights of persons holding an interest in slaves in reversion or remainder.

An act concerning County Courts in Monroe county.

An act to incorporate the Neptune Fire Engine and Hose Company of Maysville.

An act to authorize the chairman of the Board of Trustees to try misdemeanors in the breach of town ordinances.

An act to amend an act, entitled, an act to prevent the destruction of fish in Little Kentucky river.

An act to incorporate the Cynthiana Hotel Company.

An act for the benefit of the heirs of D. W. Holeman, deceased.

An act to change the place of voting in the 5th Justices' District in the county of Owen.

An act to incorporate the Falmouth Library Association.

An act for the benefit of the subscribers to the Logan, Todd, and Christian Turnpike Road Company.

An act for the benefit of certain Common School Districts in the counties of Fayette, Floyd, and Cumberland.

An act to incorporate the Dallasburg Seminary, in Owen county.

An act to amend an act, entitled, an act allowing an appropriation of land warrants to assist in the completion of a bridge across the mouth of Straight creek, in Harlan county, and for other purposes, approved February 22, 1834.

An act to legalize a survey on Wolf creek in behalf of William McGuire.

An act to prevent free negroes from emigrating to, or slaves emancipated from remaining in this State.

An act to abolish the General Court, and transfer its powers and jurisdiction to the Franklin Circuit Court.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of the Maysville and Lexington Railroad Company, and the Louisville and Lexington Railroad Company.

An act to amend the act authorizing the county of Fayette to subscribe stock in Railroad Companies.

Bills from the Senate, of the following titles, viz:

1. An act to amend the road law in Greenup county.

2. An act for the benefit of James McMillan, of Mason county.

3. An act to change the boundary lines of Districts Nos. 1 and 2, in Mercer county.

4. An act to incorporate a company to construct a bridge over Salt river.

5. An act regulating proceedings against officers.

6. An act to authorize the chairman of the Board of Trustees of Winchester, and certain other public officers to grant injunctions, &c., &c.

7. An act to amend an act, entitled, an act to amend the Campbell Turnpike Road Company, and for other purposes, approved February 26, 1849.

8. An act to amend the act authorizing the county of Fayette to subscribe stock in Railroad Companies.

9. An act for the benefit of the Lexington and Maysville Railroad Company, and the Louisville and Lexington Railroad Company.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The House then took up the resolution from the Senate, directing the Commissioners of the Sinking Fund to pay into the Treasury the January instalment of interest due on the School Fund.

Mr. Hanson moved to amend said resolution by inserting, after the words "24th instant," the words "10 o'clock, A. M."

At a quarter of 11 o'clock, P. M., Mr. Kavanaugh moved an adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kavanaugh and Calvert, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Winston J. Davie,	George W. Kavanaugh,
William Bradley,	Edward F. Dulin,	Preston H. Leslie,
John B. Bruner,	Robert English,	Strother D. Mitchell,
Wm. H. Calvert,	Jacob S. Golladay,	G. W. Williams, of H.
Robert H. Campbell,	Lysander Hord,	James T. Woodward—15.

Those who voted in the negative, were

James M. Alexander,	William M. Green,	Joel Murphy,
James B. Allen,	Thomas S. Grundy,	Thomas Y. Payne,
George P. Brown,	George M. Hampton,	Edward C. Purdy,
George R. Burgess,	Samuel Hanson,	Burwell C. Ritter,
George T. Campbell,	P. B. Hawkins,	C. C. Rogers,
Henry R. D. Coleman,	Samuel B. Jesup,	Joseph W. Rowlett,
John W. Cook,	Samuel A. Kingman,	John L. Sallee,
Asbury Dawson,	Daniel Landes,	John Shawhan,
Lucius Desha,	Peter Lashbrooke,	Albert G. Talbott,
Bernard H. Garrett,	George W. Mansfield,	Wm. T. Terrill,
Squire Gatliff,	Daniel Matthewson,	John Tompson,
Cyrenius W. Gilmore,	Hiram McElroy,	William T. Ward,
John G. Gooch,	James P. Metcalfe,	G. W. Williams, of B.
Norvin Green,	George H. Morrow,	Marcus L. Williams—42.

Mr. A. G. Talbott moved the previous question, and it was decided in the affirmative.

At 11 o'clock, P. M., Mr. Davie moved an adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Calvert and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Johnston,)	Winston J. Davie,	George W. Kavanaugh,
James M. Alexander,	Edward F. Dulin,	Preston H. Leslie,
Wm. Bradley,	Robert English,	John S. McFarland,
William H. Calvert,	Jacob S. Golladay,	Strother D. Mitchell,
Robert H. Campbell,	Lysander Hord,	G. W. Williams, of H—15

Those who voted in the negative, were

James B. Allen,	Thomas S. Grundy,	Joel Murphy,
George P. Brown,	George M. Hampton,	Thomas Y. Payne,
George R. Burgess,	Samuel Hanson,	Edward C. Purdy,
George T. Campbell,	P. B. Hawkins,	Burwell C. Ritter,
Henry R. D. Coleman,	Stilwell Heady,	Christopher C. Rogers,
John W. Cook,	Samuel B. Jesup,	Joseph W. Rowlett,
Asbury Dawson,	Samuel A. Kingman,	John L. Sallee,
Lucius Desha,	Daniel Landes,	John Shawhan,
Bernard H. Garrett,	Peter Lashbrooke,	Albert G. Talbott,

Squire Gatliff,	George W. Mansfield,	William T. Terrill,
Cyrenius W. Gilmore,	Daniel Matthewson,	John Tompson,
John G. Gooch,	Hiram McElroy,	William T. Ward,
Norvin Green,	James P. Metcalfe,	G. W. Williams, of B.
William M. Green,	George H. Morrow,	Marcus L. Williams—42.

The question was then taken on the adoption of the amendment of Mr. Hanson, and it was decided in the affirmative.

The question was then taken on concurring in the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Calvert and Kavanaugh, were as follows, viz:

Those who voted in the affirmative, were

James M. Alexander,	Norvin Green,	George H. Morrow,
James B. Allen,	William M. Green,	Joel Murphy,
Wm. S. Black,	Thomas S. Grundy,	Thomas Y. Payne,
Carlo B. Brittain,	George M. Hampton,	Julian N. Phelps,
George R. Burgess,	Samuel Hanson,	Edward C. Purdy,
Robert H. Campbell,	P. B. Hawkins,	Burwell C. Ritter,
George T. Campbell,	Stilwell Heady,	John Rodman,
Henry R. D. Coleman,	Lysander Hord,	C. C. Rogers,
John W. Cook,	Samuel B. Jesup,	Joseph W. Rowlett,
Asbury Dawson,	Samuel A. Kingman,	John L. Sallee,
Lucius Desha,	Daniel Landes,	John Shawhan,
Edgar B. Gaither,	Peter Lashbrooke,	Albert G. Talbott,
Bernard H. Garrett,	Preston H. Leslie,	Ambrose H. Talbott,
Squire Gatliff,	George W. Mansfield,	William T. Terrill,
Cyrenius W. Gilmore,	Daniel Matthewson,	John Tompson,
John G. Gooch,	Hiram McElroy,	William T. Ward,
Alfred F. Graham,	James P. Metcalfe,	G. W. Williams, of B.
Wm. M. Gray,	Strother D. Mitchell,	Marcus L. Williams—54.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Wm. H. Calvert,	Randall G. Hays,
R. T. Baker,	Alexander P. Churchill,	George W. Kavanaugh,
William Bradley,	Winston J. Davie,	John S. McFarland,
George I. Brown,	Edward F. Dulin,	Thomas Todd,
George P. Brown,	Robert English,	G. W. Williams, of H.
John B. Bruner,	Jacob S. Golladay,	James T. Woodward—18.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to provide means to meet the casual deficit in the Treasury, with an amendment.

The amendments proposed by the Senate to bills from this House of the following titles, viz:

An act organizing the department of the Auditor of Public Accounts, and fixing the salaries of the officers of said department.

An act to amend the charter of the Cynthiana and Millersburg Turnpike Road Company.

An act concerning the books and records of Justices of the Peace.

An act to legalize a survey on Wolf creek in behalf of William McGuire.

An act to prevent free negroes from emigrating to, or slaves emancipated from remaining in this State.

An act to abolish the General Court, and transfer its powers and jurisdiction to the Franklin Circuit Court.

An act to provide means to meet the casual deficit in the Treasury.

Were taken up, twice read, and concurred in.

Resolved, That this House adhere to their disagreement to the amendment of the Senate to a bill from this House, entitled, an act to abolish the office of President of the Board of Internal Improvement, and change the organization of said Board.

Ordered, That a committee of conference be appointed on the part of this House, to act in conjunction with a similar committee on the part of the Senate, in relation to the disagreement between the two Houses on said bill.

Whereupon, Messrs. Hanson, N. Green, and Hawkins were appointed the committee on the part of this House.

Ordered, That Mr. Hanson inform the Senate thereof.

And then the House adjourned.

MONDAY, MARCH 24, 1851.

Mr. Payne, from the committee on Banks, made the following report, viz:

[*For Report—see Legislative Documents.*]

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

An act to provide for the organization of the Militia of this State.

An act regulating the terms of the Butler and Edmonson Circuit Courts.

An act to provide for a special Court of Appeals.

That they had passed a bill, entitled, an act to legalize the vote of the county of Fayette and city of Lexington to subscribe stock in the Maysville and Lexington, and Lexington and Danville Railroad Companies.

Mr. N. Green, from the committee of conference on the disagreement between the two Houses on the amendment of the Senate to a bill from this House to abolish the office of President of the Board of Internal Improvement, and change the organization of said Board, made a report that this House recede from their disagreement to the amendment of the Senate, which was concurred in.

On motion of Mr. McFarland,

Ordered, That the committee on Ways and Means be discharged from the further consideration of all matters referred to them.

On motion of Mr. Hord,

Ordered, That the committee on the Judiciary be discharged from the further consideration of matters referred to them.

Mr. Hord, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill to repeal, in part, an act, entitled, an act extending the limits of the town of Shelbyville, approved March 3, 1851, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to repeal the act concerning private passways, so far as relates to Scott county.

That they had passed bills from this House of the following titles, viz:

An act to alter District No. 2, in Pike county.

An act for the benefit of Martin Houser, of Boyle county.

An act to authorize the County Court of Woodford to establish an election precint and voting place.

An act authorizing the appointment of Benjamin S. Thomas as deputy sheriff of Hancock county.

An act for the benefit of the Sheriff of Laurel county.

An act to repeal, in part, an act, entitled, an act extending the limits of the town of Shelbyville, approved March 3, 1851.

And a resolution from the Senate, authorizing the publication and distribution of the general laws.

And had concurred in the report of the committee of conference on the disagreement between the two Houses on the bill, entitled, an act to abolish the office of the President of the Board of Internal Improvement, and to change the organization of the same.

Bills from the Senate, of the following titles, viz:

An act to legalize the vote of the county of Fayette and city of Lexington to subscribe stock in the Maysville and Lexington, and Lexington and Danville Railroad Company.

An act to repeal the act concerning private passways, so far as relates to Scott county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of James McMillan, of Mason county, was ordered to be read a third time.

Mr. Williams, of Bourbon, read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the public printer be directed to print four hundred and fifty-four copies of the Code of Practice, in a separate pamphlet form, to be distributed as follows: one copy to each county and circuit judge; one to each judge of the court of appeals; one to each member of the legislature; and one copy to each clerk of the county and circuit courts.

The rule requiring joint resolutions to lie one day on the table having been dispensed with,

Resolved, That said resolution be adopted.

Mr. Metcalfe read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the secretary of state be authorized to employ such additional clerk or clerks in his office, for such time as may be necessary to examine election returns, issue commissions, and perform other duties necessary to put the new government into operation without delay.

The resolution from the Senate, authorizing the publication and distribution of the general laws, was taken up, twice read, and concurred in.

Mr. McFarland moved the following resolution, viz:

Resolved, That the public printers print, for the use of each member of this House, two hundred copies of the synopsis of the acts of the present general assembly; and that, as far as it is practicable to do so, to publish the general laws in full in said synopsis.

Which was adopted.

Mr. Shawhan read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the public printer is hereby directed to print three hundred copies of an act passed at the present session, entitled, an act to amend the militia law, and deliver the same to the adjutant general, whose duty it shall be to forward, by mail, one copy of the same to the sheriff of each county, and one to each major general, brigadier general, and each commandant of regiments.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read and adopted.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a resolution from the Senate, directing the Commissioners of the Sinking Fund to pay into the Treasury the January instalment of interest due on the School Fund.

That they had passed a bill from this House, entitled, an act to authorize the running and re-marking the dividing line between Bath and Bourbon, with an amendment.

That they had concurred in the resolution from this House, directing the printing of the act, entitled, an act to amend the militia law, and prescribing certain duties of the adjutant general.

The amendment proposed by the Senate, to a bill from this House, entitled, an act to authorize the running and remarking the dividing line between Bath and Bourbon, were taken up, twice read, and disagreed to.

Mr. R. H. Campbell, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

An act to authorize the sale of the estates of infants and *femes covert*.

An act to incorporate a company to construct a bridge over Salt river.

An act to authorize the chairman of the Board of Trustees of Winchester, and certain other public officers, to grant injunctions, &c., &c.

An act to legalize the vote of the county of Fayette and city of Lex-

ington to subscribe stock in the Maysville and Lexington, and Lexington and Danville Railroad Company.

An act for the benefit of the Maysville and Lexington Railroad Company, and the Louisville and Lexington Railroad Company.

An act to authorize the Circuit Courts of this Commonwealth to direct the sale of the real estate of lunatics.

An act regulating the terms of the Muhlenburg and Hancock Circuit Courts.

An act to provide for the organization of the Militia of this State.

An act to provide for a special Court of Appeals.

An act appropriating money to the Frankfort Cemetery Company, James Bell, and Robert Stevenson, for work and labor done and materials furnished in the improvements lately made around the State Military Monument.

An act to amend the charter of the Southern Bank of Kentucky.

An act giving officers further time to collect taxes and fees.

An act to amend the charter of the town of Crab Orchard.

An act to amend the act authorizing the county of Fayette to subscribe stock in Railroad Companies.

An act to amend an act, entitled, an act to amend the Campbell Turnpike Road Company, and for other purposes, approved February 26, 1849.

An act in relation to the fees of Commonwealth's Attorneys.

An act to change the boundary lines of Districts Nos. 1 and 2, in Mercer county.

An act to amend the road law in Greenup county.

An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

An act to charter the Danville and Bardstown Railroad Company.

An act to incorporate a Turnpike or Plank Road Company in the county of Franklin.

An act regulating proceedings against officers.

An act to repeal the act concerning private passways, so far as relates to Scott county.

An act to incorporate the Glasgow and Burksville Turnpike and Plank Road Company.

Resolution authorizing the publication and distribution of the general laws.

Resolution directing the Commissioners of the Sinking Fund to pay into the Treasury the January instalment of the interest on the School Fund.

And bills and resolutions which originated in this House, of the following titles, viz:

An act to charter the city of Louisville.

An act to abolish the General Court, and transfer its powers and jurisdiction to the Franklin Circuit Court.

An act to prevent slaves emancipated from remaining in this State.

An act organizing the department of the Auditor of Public Accounts, and fixing the salaries of the officers of said department.

An act to incorporate the Iron Works Turnpike Road Company.

An act to legalize a survey on Wolf creek in behalf of William McGuire.

An act to fix the salaries of certain officers.

An act to authorize the Judge of the Scott Circuit Court to sign certain records.

An act prohibiting the sale of liquor or goods to the students in the Kentucky Military Institute.

An act more effectually to protect the rights of persons holding an interest in slaves in reversion or remainder.

An act concerning the establishment of ferries.

An act to repeal an act for the benefit of the devisees of Alfred Payne, approved March 7, 1850.

An act to repeal an act for the benefit of H. W. Martin, approved March 7, 1850, and for other purposes.

An act concerning County Courts in Monroe county.

An act to establish a State road in the counties of Caldwell, Livingston and McCracken.

An act to increase the powers of administrators with the will annexed.

An act to amend the act incorporating the Mayslick and Sardis Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the town of Neetsville.

An act to incorporate the Georgetown and Lemmon's Mill Turnpike Road Company.

An act to amend the charter of the Cynthiana and Millersburg Turnpike Road Company.

An act to provide means to meet the casual deficit in the Treasury.

An act concerning the books and records of Justices of the Peace.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets and alleys in Shippingsport to be closed.

An act supplemental to an act to prevent the destruction of fish in Barebone creek.

An act to abolish the office of the Secretary of the Board of Internal Improvement, and change the organization of said Board.

An act for the benefit of Martin Houser, of Boyle county.

An act for the benefit of the Sheriff of Laurel county.

An act to authorize the County Court of Woodford to establish an election precint and voting place.

An act to alter District No. 2, in Pike county.

An act authorizing the appointment of Benjamin S. Thomas as deputy sheriff of Hancock county.

An act to amend an act, entitled, an act allowing an appropriation of land warrants to assist in the completion of a bridge across the mouth of Straight creek, in Harlan county, and for other purposes, approved February 22, 1834.

An act for the benefit of certain Common School Districts in the counties of Fayette, Floyd, and Cumberland.

An act to change the place of voting in the 5th Justices' District in the county of Owen.

An act to incorporate the Dallasburg Seminary, in Owen county.

An act to authorize the Chairman of the Board of Trustees of Paris to try misdemeanors in the breach of town ordinances.

An act for the benefit of the subscribers to the Logan, Todd, and Christian Turnpike Road Company.

An act to amend the act incorporating the town of Mayslick.

An act for the benefit of the heirs of D. W. Holeman, deceased.

An act to incorporate the Cynthiana Hotel Company.

An act to incorporate the Falmouth Library Association.

An act to incorporate the Neptune Fire Engine and Hose Company of Maysville.

An act to amend an act, entitled, an act to prevent the destruction of fish in Little Kentucky river.

An act to repeal, in part, an act, entitled, an act extending the limits of the town of Shelbyville, approved March 3, 1851.

Resolution for printing the Code of Practice.

Resolution directing the printing of the act amending the militia law, and prescribing certain duties of the Adjutant General.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Campbell inform the Senate thereof.

The Speaker having retired from the Chair, Mr. Metcalfe moved the following resolution, viz:

Resolved, That the thanks of this House are due and are hereby tendered to Hon. George W. Johnston for the able and impartial manner in which he has discharged the duties of Speaker of the House of Repre-

sentatives during the present arduous and protracted session of the Legislature.

Which was unanimously adopted.

Mr. A. H. Talbott moved the following resolution, viz:

Resolved, That the thanks of this House are due and hereby tendered to the officers thereof, for the very efficient manner in which they have discharged the duties of their respective offices.

Which was adopted.

Mr. A. H. Talbott read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the state librarian and keeper of the state house and public grounds be and he is hereby directed to cause the gas works to be removed from the public grounds within six months from the adjournment of this general assembly.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, the said resolution was twice read and adopted.

Mr. Athey moved the following resolution, viz:

Resolved, That the thanks of this House are hereby tendered to the several ministers of the gospel, resident in Frankfort, who have officiated in opening the House with prayer during the present session of the Legislature.

Which was adopted.

A message was received from the Governor by Mr. Finnell, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to incorporate the Shelby Railroad Company.

An act to amend the act establishing the Police Court of Flemingsburg, approved January 21, 1851.

An act concerning the Police Judge of the town of Hawesville.

An act for the benefit of the National Guards of the city of Louisville.

An act for the benefit of George Stivers and William Woodcock.

An act to authorize the Trustees of Winchester to reduce the width of Main cross street in said town.

An act changing the boundary lines of District, No. 8, in Carter county.

An act to amend an act creating the offices of Police Judge and Town Marshals in the towns of Clinton and Moscow, in Hickman county.

An act for the benefit of Common Schools in Anderson county.

An act to establish the Police Court of Mount Carmel.

An act to incorporate the Board of Trustees of the town of Woodsonville.

An act to create the offices of Police Judge and Marshal in the town of Moscow, in Hickman county.

An act to authorize the County Courts of Nelson and Barren to subscribe stock in the Louisville and Nashville Railroad Company.

An act to repeal an act to establish a Police Court in the town of Mount Vernon.

An act for the benefit of the Sheriffs of Lewis and Mason counties.

An act to authorize the Trustees of the town of Owenton to convey town lots.

An act to give additional Commissioners to the Mountsterling and Jeffersonville Turnpike Road Company.

An act to amend the charter of the North Middletown, Mount Ida, and Mountsterling Turnpike Road Company.

An act repealing an act, approved January 21, 1851, in regard to Three Mile creek, in Lawrence county, and declaring said creek navigable.

An act extending the powers of the Mayor of the city of Maysville.

An act to authorize the commandant of the 36th regiment of militia to list for collection fines assessed in 1849.

An act for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

An act to change the corporate limits of the town of Moscow, in Hickman county.

An act to incorporate the Versailles Joint Stock Building Company.

An act to extend the limits of the town of West Liberty.

An act to incorporate a Turnpike Road from Germantown to Thompson's Ford, on the North Fork, in Bracken county.

An act authorizing the Winchester and Kentucky River Turnpike Road Company to erect gates on certain conditions.

An act further to regulate the town of Bowlinggreen.

An act to establish the town of Beatty, in the county of Owsley.

An act to incorporate Grant Lodge, No. 85, of Free and Accepted Masons.

An act to include the house and lot of Arthur Smith within the town of Cadiz.

An act to authorize the erection of a monument to the memory of Col. Richard M. Johnson.

An act to purchase a burial place in the Frankfort Cemetery.

An act providing for the election of Public Printer.

An act to create the offices of Police Judge and Marshal, in the town of Clinton, in Hickman county.

An act authorizing the County Courts of sundry counties to subscribe stock in railroad companies.

An act to amend the charter of the town of Paducah.

Approved 15th March, 1851.

An act concerning certain Magistrates' districts in Madison county.

An act to repeal an act to amend the charter of the Covington and Lexington Railroad Company, approved March 4, 1850; and also, an act supplemental to said act, approved March 6, 1850.

An act to establish the Police Court of Poplar Plains.

An act for the benefit of John M. Gallagher.

An act for the benefit of the Mechanics of Muhlenburg county.

An act for the benefit of certain Common School districts in Henderson, Henry, and Monroe counties.

An act for the benefit of Green Adams.

An act to allow John A. Hunt, of Laurel county, to vend goods, wares, and merchandise, without license.

An act for the benefit of the Sheriff of Rockcastle county.

An act for the benefit of the Sheriff of Whitley county.

An act to amend an act, entitled, an act to incorporate the Maysville, Orangeburg, and Mount Carmel Turnpike Road Company.

An act to change the place of voting from Sulphur Well to James Carter's, in Jessamine county.

An act to amend an act, entitled, an act incorporating the Trustees of the Parochial School of the Hanging Fork Presbyterian Church, approved February 9, 1850.

An act better to define the duties of the Keeper of the Penitentiary.

An act concerning Justices' and Constables' districts in Fleming county.

An act to reduce into one the several acts regulating the town of Madisonville.

An act regulating allowances to masters, auditors, and commissioners in chancery.

An act to give the Carroll and Gallatin County Courts control of the State roads in said counties.

An act to incorporate the Georgetown and Louisville Branch Railroad Company.

An act to incorporate the Stanford and Hustonville Turnpike Road Company.

An act to suppress the practice of adulterating spirituous liquors, &c.

An act to establish a Police Judge in the town of Carrollton.

An act to incorporate the town of Newcastle.

An act to authorize the several Circuit Courts to change the venue in penal and criminal prosecutions.

An act to amend the charter of the Lexington Insurance Company.

An act to authorize the Montgomery County Court to levy a tax for re-building the Court House of said county.

An act fixing the period of Clerks and other officers listing their fee bills for collection in the present year.

Approved March 20, 1851.

An act to incorporate the Winchester, Kiddville, and Mountsterling Turnpike Road Company.

An act to amend the acts incorporating the Paris, Winchester, and Kentucky River Turnpike Road Company, and to authorize a transfer to the same of the Winchester and Kentucky River Turnpike Road Company's effects, &c.

An act further to define the powers of the Trustees of Winchester, and extend the privileges of its citizens.

An act for the benefit of the mechanics of Pulaski county.

An act to legalize the proceedings of the Bracken County Court, at its October term, 1850.

An act providing for the collection by the Sheriffs elected in May next, of the revenue of the present year.

An act to incorporate Hancock Lodge, No. 115, in Hancock county.

An act for the benefit of William T. Dudley, Clerk of the Fleming County Court.

An act to amend the charter of the Falls City Insurance Company, approved February 20, 1851.

An act to extend the limits of Independence, in Kenton county.

Approved March 21, 1851.

An act concerning certain Magistrates' and Constables' Districts in Lewis county.

An act making Lafayette, in Christian county, a place of voting.

An act to authorize the County Court of Bourbon to issue bonds and to subscribe stock in the Covington and Lexington, and in the Maysville and Lexington Railroad Companies.

An act to incorporate Springhill Lodge, No. 139, at Crab Orchard.

An act to alter certain districts in Barren county.

An act concerning Justices' and Constables' districts in Monroe county.

An act to change a voting place and certain Magistrates' and Constables' Districts in Ohio county.

An act granting the right of way and corporate privileges to the Clarksville and Hopkinsville Turnpike Company.

An act to incorporate the town of Raleigh, in Union county.

An act to extend the limits of Magistrates' and Constable's District, No. 7, in Knox county.

An act for the benefit of Aaron Dawson, Edward McClure, and John L. McCann.

An act to amend the charter of the Covington and Lexington Turnpike Road Company, and to incorporate the Georgetown and Dry Ridge Turnpike Road Company, as a separate and independent company.

An act to appoint Commissioners to change the boundaries of certain Magistrates' and Constables' districts in Owen county.

An act to amend the Justices' District of Lewisburg, in the county of Mason.

An act concerning Magistrates' and Constables' districts.

An act to establish a July term of the Wayne County Court.

An act regulating the duties of the Clarke County Court, and the appointment of the County Treasurer.

An act to amend an act, approved January 29, 1846, incorporating the town of Hillsboro', in Fleming county.

An act to establish the town of Lovelaceville, in Ballard county.

An act to amend an act, entitled, an act to incorporate the Sardis Turnpike Road Company, approved March 1, 1848.

An act to amend an act incorporating the Newtown and Leesburg Turnpike Road Company.

An act to prevent the destruction of fish in Floyd's fork.

An act to amend the charter of the Versailles and Shryock's Ferry Turnpike Road Company.

An act to amend the charter of the Augusta, Cynthiana, and Georgetown Turnpike Company.

An act providing for special terms of the County Courts.

An act to amend an act, entitled, an act to incorporate the town of Lancaster.

An act to change the places of voting in District No. 3, in Simpson county; in District No. 5, in Woodford county; in District No. 8, in Breckinridge county; and in District No. 6, in Henderson county.

An act to change the line between Districts Nos. 2 and 3, in Mercer county.

An act to change certain districts in Spencer county.

An act establishing certain voting places in Harrison county.

An act to establish an additional Magistrates' and Constable's district in Nelson county, and to extend the boundary of No. 6.

An act to change the boundaries of, and place of voting in Magistrates' and Constables' district No. 2, in Scott county, and the voting place of district No. 2, in Grant county.

An act to incorporate the Owenton and Scott County Line Turnpike Road Company.

An act to incorporate the Owensboro' Building Company.

An act to change the boundary and place of voting in certain Magistrates' and Constables' Districts in Shelby county, and to provide for changing the voting place in District No. 5, in Hopkins county.

An act changing the boundary of Justices' district No. 6, in Marion county.

An act concerning districts for the election of Justices of the Peace and Constables, to authorize the establishment of an additional district, and to change a place of voting in one district in Caldwell county.

An act changing the Justices' District in Muhlenburg county, and establishing an election precinct.

An act for the benefit of certain School Districts in Meade, Knox, Whitley, Nelson, and Greenup counties.

An act regulating the duties of the Christian County Court in laying the levy.

An act to amend the charter of the Lexington and Frankfort Railroad Company.

An act authorizing a change of the voting place in district No. 3, in Trimble county.

An act to establish the town of Woodville, in the county of Mason.

An act to amend the boundary of District No. 5, in Pendleton county.

An act to authorize the County Court of Montgomery to issue the bonds of said county for Internal Improvement purposes, and to establish a Board of Internal Improvement to manage said bonds.

An act providing for running and marking the line between Knox and Harlan counties.

An act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad, approved March 4, 1850.

An act to incorporate Owen Division, No. 220, Sons of Temperance, in Owenton, Owen county.

An act for the benefit of school districts in Cumberland county.

Approved 22d March, 1851.

An act to establish two additional election precincts in Bullitt county.

An act for the benefit of Uriah G. Berry.

An act repealing all laws authorizing allowances to Clerks and Sheriffs for *ex officio* services.

An act for the benefit of Turnpike Roads in Lincoln county.

An act supplemental to an act, entitled, an act to incorporate the Lexington Savings Institution, approved February 10, 1851.

An act to amend the charter of the Newtown and Leesburg Turnpike Road Company.

An act to authorize the Mayor and Council of the city of Louisville to provide for the times, places and manner of holding the first election in 1851, under the charter of said city.

An act for the benefit of Philip Felton.

An act to provide for the election of the Police Judge and Marshal of the town of Lawrenceburg, and changing the limits of said town.

An act relative to Assessors of Tax.

An act to change the place of voting in Jamestown, in Campbell county.

An act in relation to the Marshal of the city of Frankfort.

An act for the benefit of Henry G. Mitchell and John Mitchell.

An act requiring officers of this Commonwealth to execute official bonds, and prescribing the manner of such execution.

An act to establish an additional election precinct in Jefferson county.

An act for the benefit of Francis McCauley.

An act to provide for the election of a Police Judge in the town of Richmond.

An act to amend an act, entitled, an act to incorporate the Transylvania School of Dental Surgery, approved March 7, 1850.

An act to legalize the subscription of stock by the Franklin County Court, in the Stamping Ground and Frankfort Turnpike Road Company, and to authorize the city of Frankfort to take stock in said road.

An act to authorize the people of Logan county to tax themselves, to assist in making the Louisville and Nashville Railroad, and for other Internal Improvements.

An act concerning free negroes and mulattoes.

An act to authorize Constables in Louisville, and certain districts in certain counties to appoint deputies.

An act to regulate tolls on the Crab Orchard and Madison fork of the Wilderness Turnpike Road, and the management of the Goose Creek and Trough Spring branch of said Road.

An act to amend the charter of the city of Maysville.

An act to incorporate the Catlettsburg and Grayson Plank Road Company.

An act in relation to certain Magistrates' districts in Garrard, Nicholas, Taylor, and Pendleton counties.

An act to charter the city of Louisville.

An act to incorporate the Georgetown and Lemmon's Mill Turnpike Road Company.

An act concerning County Courts in Monroe county.

An act to establish a State road in the counties of Caldwell, Livingston, and McCracken.

An act to prevent slaves emancipated from remaining in this State.

An act organizing the department of the Auditor of Public Accounts, and fixing the salaries of the officers of said department.

An act to abolish the General Court, and transfer its powers and jurisdiction to the Franklin Circuit Court.

An act to provide means to meet the casual deficit in the Treasury.

An act to amend the charter of the Cynthiana and Millersburg Turnpike Road Company.

An act concerning the books and records of Justices of the Peace.

An act authorizing the Chancellor of the Louisville Chancery Court to direct certain streets and alleys in Shippingsport to be closed.

An act supplemental to an act to prevent the destruction of fish in Barebone creek.

An act to amend an act, entitled, an act to incorporate the town of Neetsville.

An act to repeal an act for the benefit of H. W. Martin, approved March 7, 1850, and for other purposes.

An act to repeal an act for the benefit of the devisees of Alfred Payne, approved March 7, 1850.

An act to authorize the Judge of the Scott Circuit Court to sign certain records.

An act prohibiting the sale of liquor or goods to the students in the Kentucky Military Institute.

An act to amend the act incorporating the town of Mayslick.

An act to fix the salaries of certain officers.

An act to legalize a survey on Wolf creek in behalf of William McGuire.

An act more effectually to protect the rights of persons holding an interest in slaves in reversion or remainder.

An act concerning the establishment of ferries.

An act to incorporate the Iron Works Turnpike Road Company.

An act to change the place of voting in the 5th Justices' District in the county of Owen.

An act to authorize the Chairman of the Board of Trustees of Paris to try misdemeanors in the breach of town ordinances.

An act for the benefit of Martin Houser, of Boyle county.

An act for the benefit of the Sheriff of Laurel county.

An act authorizing the appointment of Benjamin S. Thomas as deputy sheriff of Hancock county.

An act to repeal, in part, an act, entitled, an act extending the limits of the town of Shelbyville, approved March 3, 1851.

An act to incorporate the Cynthiana Hotel Company.

An act for the benefit of certain Common School Districts in the counties of Fayette, Floyd, and Cumberland.

An act to amend an act, entitled, an act allowing an appropriation of land warrants to assist in the completion of a bridge across the mouth of Straight creek, in Harlan county, and for other purposes, approved February 22, 1834.

An act to authorize the County Court of Woodford to establish an election precint and voting place.

An act to alter District No. 2, in Pike county.

An act to incorporate the Dallasburg Seminary, in Owen county.

An act for the benefit of the heirs of D. W. Holeman, deceased.

An act to incorporate the Neptune Fire Engine and Hose Company of Maysville.

An act to amend an act, entitled, an act to prevent the destruction of fish in Little Kentucky river.

An act to abolish the office of the Secretary of the Board of Internal Improvement, and change the organization of said Board.

An act to incorporate the Falmouth Library Association.

An act regulating the terms of the Clarke and Madison County Courts.

Resolution for printing the Code of Practice.

Resolution directing the printing of the act amending the militia law, and prescribing certain duties of the Adjutant General.

Approved March 24, 1851.

A message was received from the Senate, announcing that they had received official information from the Governor, that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, to-wit:

An act to establish the place of voting in the Keysburg District, in Logan county. Approved March 12, 1851.

An act to authorize the city of Louisville to subscribe stock in certain Railroads.

An act to incorporate the Deposit Bank of Maysville.

An act authorizing the construction of a mill dam across Pond river.

An act for the benefit of Abraham Boyd, of Trigg county.

An act to establish a Police Court in the town of Caseyville.

An act authorizing the Allen County Court to subscsibe stock in the Louisville and Nashville Railroad.

An act to amend the charter of the town of Hardinsburg.

Approved March 15, 1851.

An act to incorporate the Burlington and Florence Turnpike Road Company. Approved March 18, 1851.

An act providing a mode of forfeiture of the charter of the Logan, Todd, and Christian Turnpike Road Company, and the transfer of the interest of the State therein.

An act to incorporate the Springdale and Tollsburg Turnpike Road Company, in Mason and Lewis counties.

An act concerning the tax on licenses to coffee houses, taverns, and ten-pin alleys in the city of Louisville and county of Jefferson.

An act authorizing an alley to be closed in the town of Portland.

An act for the benefit of School District No. 16, Kenton county.

An act granting to the Marshal of Owenton, Owen county, the power and authority of a Constable.

An act to amend an act, entitled, an act for the benefit of William Smith, of Laurel county, approved March 7, 1850.

An act to repeal the fifth section of an act, entitled, an act to amend the charter of the city of Louisville, approved March 5, 1850.

An act to define the original corners of the town of Boston, in Whitley county.

An act to amend an act, entitled, an act to incorporate the Nashville and Louisville Railroad Company, approved March 4, 1850.

An act to provide for the payment of the debts now due, and for the further prosecution of the work on the Second Kentucky Lunatic Asylum, and to appoint Commissioners to visit the same.

An act to amend the charter of the city of Covington.

An act to incorporate the Deposit Bank of Danville.

An act to unite into one the Louisville and Sulphur Well Turnpike Road Company, and Louisville and Shepherdsville Plank Road Company.

An act allowing to the county of Warren an additional district for the election of Justices of the Peace and Constables.

An act to incorporate the Greenville Mansion Hotel Company.

An act to incorporate the Paint Lick Presbyterian Church, in Garrard county.

Approved March 20, 1851.

An act for the benefit of the town of Russellville.

An act changing an election precinct in Jefferson county.

An act legalizing the proceedings of the Owsley County Court.

An act to incorporate the Baptist Church of Bedford, Trimble county.

An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.

An act to incorporate the Waidsboro' and Marshall County Seminary.

An act for the benefit of the children of David and John Hogan.

An act to amend the charter of the city of Augusta.

An act for the benefit of Elizabeth C. Flournoy, of McCracken county.

An act to amend an act in relation to running and re-marking a part of the county line between Graves and Hickman counties.

An act to equalize the compensation for the collection of the revenue tax.

An act in relation to the Goose Creek Turnpike Road, in Knox and Clay counties.

An act defining the boundaries of the Magistrates' and Constables' Districts in Pulaski county.

An act for the benefit of John G. Holloway.

Approved March 21, 1851.

An act to authorize the Council of the city of Covington to create two additional voting precincts in said city.

An act in relation to the commissions of officers.

An act to provide for the payment of the unpaid orders of the School Commissioners.

An act for the benefit of George Johnson, of Morganfield.

An act for the benefit of Samuel G. Mullens, of Mercer county.

An act to amend the act establishing the Morgantown Seminary.

An act to reduce into one the several acts concerning peddlers, and fixing the amount of tax to be paid by them.

An act concerning coal mining in Hancock county.

An act to authorize the Grant County Court to lay an additional levy at their April or May term.

An act exempting every custom house, post office, court room, and other offices that may be erected within this Commonwealth, by the General Government, from taxation.

An act for the benefit of C. N Carder, Constable of Oldham county.

An act for the benefit of James McBride.

An act for the benefit of James McConnell.

An act for the benefit of the Sheriff of Knox county.

An act to amend the exemption laws.

An act to change the place of voting in an election precinct in Jefferson county.

An act for the benefit of the 57th regiment, in Garrard county.

An act to incorporate the Capital Hotel Company of Frankfort.

An act to establish an additional election precinct in Greenup county.

An act to authorize the county of Mercer and county of Boyle to subscribe stock in railroads, and other roads within said counties.

An act in relation to the revenue.

An act for the benefit of Colonel R. T. P. Allen.

An act to provide for changing the place of voting in the 5th district, in Nicholas county.

An act to incorporate the Washington Support and Health Insurance Company.

An act to change the lines of a Magistrates' and Constable's District in Boone and Russell counties.

An act to authorize the County Courts of Logan and Simpson to subscribe stock in the Louisville and Nashville Railroad Company, or in such railroad company as may pass through said counties.

An act concerning the Police Judge of the town of Hartford, in Ohio county.

Approved March 22, 1851.

An act to regulate elections.

An act to fix the time of holding Circuit Courts in this Commonwealth.

An act to revise the Statutes.

An act to amend an act, entitled, an act to incorporate the town of Shelbyville, approved February 26, 1846.

An act to authorize the Trustees of the town of Versailles, and the County Court of Woodford county, to give power to a company to establish water works in said town.

An act providing for the relief and discharge of securities for public officers.

An act to amend an act, entitled, an act to organize County Courts in the several counties, approved March 11, 1851.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of G. W. V. McConnell, of Woodford county.

An act to incorporate the Newport and Licking Turnpike and Plank Road Company.

An act to reduce into one the several acts concerning the town of Campbellsville, in Taylor county.

An act to incorporate the Mississippi and Nashville Railroad Company.

An act to amend the charter of the town of Crittenden, in Grant county.

An act to establish an additional election precinct in Scott county.

An act for the benefit of Charles C. Kelly, clerk of the Washington Circuit Court.

An act to incorporate the Newport Safety Fund Bank of Kentucky.

An act prescribing the means and mode of opening and working roads in the county of Boone.

An act to incorporate the Big Bone Hotel Company.

An act to incorporate the Lexington, Harrodsburg, and Bowlinggreen Railroad Company.

An act to amend an act, entitled, an act to incorporate the town of West Point, in Hardin county, approved January 15, 1848.

An act to change the Magistrates' and Constables' Districts in Carter county.

An act for the appropriation of money.

An act for the benefit of A. W. Hamilton, and his securities, in a bond for public arms.

An act for the benefit of George J. Stockton, and his securities, in two bonds for public arms.

An act to establish a levy and monthly County Court for Jefferson county.

An act to incorporate the Glasgow and Burksville Turnpike and Plank Road Company.

An act to repeal the act concerning private passways, so far as relates to Scott county.

An act regulating proceedings against officers.

An act to incorporate a Turnpike or Plank Road Company in the county of Franklin.

An act to charter the Danville and Bardstown Railroad Company.

An act to legalize the vote of the county of Fayette and city of Lexington to subscribe stock in the Maysville and Lexington, and Lexington and Danville Railroad Companies.

An act to provide for the organization of the Militia of this State.

An act regulating the terms of the Muhlenburg and Hancock Circuit Courts.

An act allowing the Clerk of the Washington Circuit Court further time to collect his fee bills.

An act to provide for a special Court of Appeals.

An act giving officers further time to collect taxes and fees.

An act to amend the act authorizing the county of Fayette to subscribe stock in Railroad Companies.

An act to amend the charter of the town of Crab Orchard.

An act to amend an act, entitled, an act to amend the Campbell Turnpike Road Company, and for other purposes, approved February 26, 1849.

An act to authorize the chairman of the Board of Trustees of Winchester, and certain other public officers, to grant injunctions, &c., &c.

An act to incorporate a company to construct a bridge over Salt river.

An act to amend the charter of the Southern Bank of Kentucky.

An act appropriating money to the Frankfort Cemetery Company, James Bell, and Robert Stevenson, for work and labor done and materials furnished in the improvements lately made around the State Military Monument.

An act to authorize the Circuit Courts of this Commonwealth to direct the sale of the real estate of lunatics.

An act for the benefit of the Maysville and Lexington Railroad Company, and the Louisville and Lexington Railroad Company.

An act to amend the road law in Greenup county.

An act to change the boundary lines of Districts Nos. 1 and 2, in Mercer county.

An act in relation to the fees of Commonwealth's Attorneys.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Georgetown, approved March 1, 1847.

An act to authorize the County Court of Christian to subscribe stock in the Henderson and Nashville Railroad Company.

An act to amend an act incorporating the Lebanon, New Market, and Springfield Turnpike Road Company, approved February 18, 1848.

An act to authorize the sale of the estates of infants and *femes covert*.

Resolution authorizing the publication and distribution of the general laws.

Approved March 24, 1851.

A message was received from the Governor by Mr. Finnell, Secretary of State, which is as follows, viz:

To the House of Representatives of Kentucky:

A bill was this day presented to me of the following title:

An act for the benefit of the subscribers to the Logan, Todd, and Christian Turnpike Road Company.

This bill sets forth the fact that many persons had subscribed stock in said company, for the purpose of constructing a turnpike road. The company was incorporated, and a covenant in writing executed by the subscribers of stock, under the provisions of the charter, by which they bound themselves to pay the sums by them subscribed.

Such subscription is a contract which can be enforced by law, and, to all intents and purposes, is recognized by law and the constitution as a contract.

The bill provides that the subscribers shall be released from any further liability to pay such subscriptions: The legislature has no such power. It is an attempt, by legislation, to absolve a debtor from an obligation which he is bound to pay.

If, for any reason, the company have failed to comply with their undertaking, the remedy of the debtor is complete at law, or he may have a *scire facias* to forfeit the chartered rights of the company, and thus be exonerated, unless, for the purpose of paying the debts of the corporation, he may still be bound.

For these reasons the executive is constrained to withhold his signature and approval.

JOHN L. HELM.

March 24, 1851.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Winston J. Davie, Asbury Dawson, George W. Mansfield—3.

Those who voted in the negative, were

Mr. Speaker, (Johnston,)	Jacob S. Golladay,	Benjamin L. Owens,
James M. Alexander,	John G. Gooch,	Joel Owsley,
Robert A. Athey,	Wm. M. Gray,	Edward C. Purdy,
Wm. S. Black,	Thomas S. Grundy,	Burwell C. Ritter.
Wm. Bradley,	George M. Hampton,	John Rodman,
John B. Bruner,	Daniel Landes,	C. C. Rogers,
Robert H. Campbell,	Preston H. Leslie,	George W. Silvertooth,
Alexander P. Churchill,	Daniel Matthewson,	Ambrose H. Talbott,
Henry R. D. Coleman,	James P. Metcalfe,	Wm. T. Ward,
Edward F. Dulin,	Strother D. Mitchell,	Elisha F. Wells,
Bernard H. Garrett,	Morton P. Moore,	G. W. Williams, of H—35.
Samuel L. Geiger,	George H. Morrow,	

A message was received from the Senate, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment, on their part, without day; and had appointed a committee on their part, to act in conjunction with a similar committee on the part of this House, to wait upon the Governor, and inform him of the proposed adjournment of the General Assembly, and to know of him if he had any other or further communication to make.

Whereupon, Messrs. McFarland, Churchill, R. H. Campbell, Grundy, Ward, Rodman, and Moore, were appointed the committee on the part of this House.

Ordered, That Mr. McFarland inform the Senate thereof; and that this House had also closed their legislative business, and were now ready to close the present session of the General Assembly, by an adjournment without day.

The committee then retired, and after a short time returned, when Mr. McFarland reported that said committee had performed the duty assigned them, and were informed by the Governor that, having from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon, the Speaker, having delivered a valedictory address, adjourned the House without day.

INDEX

TO

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

☞ THE FIGURES REFER TO THE PAGES.

Abner, William, a bill for the benefit of 250, 269, 363, 382, 526, 555, 692
Academy, Florence, act for benefit of 115, 132, 418
Academy, Harrodsburg Female, a bill to amend the charter of 84, 86, 127, 136
Henry Female, a bill to charter 104, 139, 141, 150, 160, 193, 231
Actions against sureties, a bill to amend the act limiting 62
Acts of the General Assembly, a bill providing for the printing and distributing the 440, 443, 444, 445, 446, 461, 532
Adair and Cumberland counties, a bill to run and mark line between 136, 181, 217, 234, 258
Adair and Russell counties, act to run and mark line between 58, 64, 74, 79, 91
Adair county, petition of citizens of 75
Adams, Green, a bill for benefit of 560, 697, 815, 870, 951
Adjutant General, resolution calling on the, for information 287
response of to resolutions 323, 324
Administrators with the will annexed, a bill to increase the powers of the 57, 865, 938, 974
Adulterating spirituous liquors, a bill to suppress the practice of 174, 482, 589, 604, 605, 781, 869, 951
Æoleon Building Company of Bowlinggreen, a bill to incorporate the 322, 462, 527, 554, 691
Agricultural and Mechanical Association, a bill to incorporate the of Kentucky 55, 88, 142, 161, 197
Agriculture and Manufactures, committee on appointed 66
Allen Circuit Court—see Courts, Circuit.
Allen County Court—see Courts, County.

Allen county, petition of citizens of 281, 612
Allen, James B., appeared and took his seat 9
Allen, J. B., petition of 426
Allen, Job, petition of 255
Allen, R. T. P., petition of 611
an act for the benefit of 782, 870, 907, 959
Alexander, W. W., excused from serving on Sinking Fund committee 197
Allowances to masters, auditors, and commissioners in chancery, a bill to regulate 350, 367, 378, 528, 529, 530, 531, 532, 717, 777, 869, 951
Anderson county, petition of citizens of 235
petition of School Commissioners of 492
—see Sheriffs.
Appeals and writs of error, a bill to authorize the prosecution of in criminal cases 71, 140, 176, 274
Appellate Court, committee on appointed 68
act to provide for a special 433, 750, 775, 893
Appellate Districts, a bill to divide the State into, &c. 159, 246
Appellate Judicial Districts, a bill to divide the State into 159, 348, 361
Apportionment of representation, a bill for the 56, 64, 94, 161, 246, 440, 441, 448, 456, 457, 458, 459, 461, 478, 479, 480, 484, 485, 486, 487, 488, 489, 490, 491, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 659, 690, 774
Appropriation of Money, a bill for 909, 912, 913, 914, 915, 916, 934, 961
resolution to appoint joint committee to bring in a bill for the 750, 765
Arnold, John B., resignation of 112
re-elected, appeared and took his seat 153
Arthur, Col. Ambrose, act for benefit of 717, 775, 882, 886
Artsman, Edward, act for benefit of 148, 182, 206, 261
Asbury Chapel, a bill for the benefit of 364, 456, 494, 515, 608
Ashcraft, James, a bill for benefit of 139, 169, 198, 235, 258
Assembly, General, Resolution for adjournment of *sine die* 368, 605, 614, 615, 616, 617, 771, 779, 780, 781, 800
resolution concerning pay of members of 232
resolution for a recess of the 139, 148, 149
resolution to rescind resolution for recess of the 228
resolution to exclude members of the, from pay during the recess of the 241, 270, 272, 273
Assessors, a bill to amend the law requiring, to make return of Deaf and Dumb and Blind persons 104
Assessors of Tax, an act requiring the, to return post offices of the Deaf and Dumb 382, 402, 417, 494, 516, 612
an act prescribing the duties of 717, 776, 897
an act relative to 873, 903, 927, 955
Assessors of Tax, act in relation to duties of 179, 182, 188, 198, 199, 206, 207, 208, 232, 234, 253, 259, 267, 275, 285, 288
committee of conference on, appointed 275
report of committee on 285, 288

Associate Judge of the County Court, a bill to abolish the office of 58, 62, 195
Asylum, Blind, resolution to appoint a committee to examine, 56, 59, 74, 88, 96
committee to examine appointed 126
annual report of visitors of the 331
—see Legislative Documents.
Deaf and Dumb, resolution to appoint committee to examine 56, 64, 74, 79, 92
annual report of the 105, 105
—see Legislative Documents.
committee to examine appointed 126
Petition of Directors of 249
a bill for the benefit of the 778, 860, 861, 877, 883
Lunatic, annual Report of Directors of 331
—see Legislative Documents.
resolution to appoint committee to examine 53, 59, 88, 96
committee to examine, appointed 126
Second Kentucky Lunatic, report of commissioners of the 240
—see Legislative Documents.
an act for payment of debts of, and further to prosecute the work on the 536, 540, 750, 772, 816, 958
Attorney General, a bill to require certain duties of 170, 181, 204, 234, 258
Atwell, S. S., a bill to confirm a sale of a house and lot made to, in the town of Brandenburg 206, 243, 261, 320, 376
Auditor, First, annual report of the 61
—see Legislative Documents.
communication from the 603
Auditor, Second, annual report of 248
—see Legislative Documents.
partial report of the 60
—see Legislative Documents.
resolution calling on the, for information 105, 114, 284, 349
a bill to abolish the office of 120, 522, 545, 684, 685, 686, 687, 688, 718
responses of, to resolutions 121, 122, 319, 363
—see Legislative Documents.
resolution authorizing to issue warrants for pay of officers of the General Assembly 199, 204, 234 262
Auditor of Public Accounts, a bill to organize the department of and to fix the salaries of the officers in the 687, 688, 718, 719, 909, 941, 947, 955
Auditors in chancery, a bill to regulate allowances to 350, 367, 378, 528, 529, 530, 531, 532, 717, 777, 869, 951
Augusta, Cynthiana, and Georgetown—see Roads, Turnpike.
Augusta Lodge—see Lodge.
Augusta—see Cities.

Bacon College, a bill to amend the charter of 158. 219, 220, 227, 350, 395, 405, 410, 411, 412, 526, 609, 715, 716, 728, 732, 733, 740, 741
460
Baker, John Q., petition of 9
Baker, R. Tarvin, appeared and took his seat
Ballard, Camden M., resolution to add to committee on Blind Asylum, &c. 143, 234, 242, 321, 378
Ballard county, petition of citizens of 154
Bank, Breckinridge Savings, an act to charter the 294, 331, 421, 691, 783
Deposit of Covington, an act to charter the 126, 132, 151, 193, 261
Deposit of Danville, an act to charter the 696, 776, 870, 958
Deposit of Maysville, act to charter the 601, 602, 671, 770, 957
Deposit of Paris, act to charter the 221, 223, 224, 225, 226, 294, 438, 527, 567, 608, 773
Farmers of Kentucky, annual exhibit of the 292
Farmers of Kentucky, an act to amend charter of the 373, 440, 445, 463, 516
Kentucky Savings of Louisville, act to charter the 264, 286, 421, 514, 520, 554, 691
Newport Safety Fund, act to charter the 816, 872, 908, 960
Savings of Covington, act to amend charter of the 60, 63, 78, 91
Savings of Fleming county, act to charter the 136, 157, 198, 235, 258
Southern of Kentucky, a bill to enable the Governor to carry out charter of 124, 124, 127, 136
Southern of Kentucky, act to allow branch of at Newport 478
Southern of Kentucky, act to amend the charter of the 668 681, 707, 708, 709, 710, 711, 712, 713, 748, 764, 772, 877, 878, 887, 888, 889, 926, 946, 961
Bank Lick Turnpike—see Roads, Turnpike.
Banks, committee on appointed 68
resolution instructing 168, 183, 321, 378
report of committee on—see Legislative Documents.
Baptist Church—see Church.
Barbour, James P., resolution to add to committee on Deaf and Dumb Asylum 168
Bardenwerper, Emma, act for benefit of 180, 182, 196
Barlow, Thomas H., message of Governor and documents in relation to Planetarium of 97, 98, 99, 100, 101
resolution in relation to Planetarium of 118, 129, 130, 139, 154, 155
Barebone Creek, a bill to prevent fishing in except with hook and line 481, 512, 552, 603, 690, 774
act supplemental to above act 899, 938, 947, 956
Barnett, William, petition of 574, 614
Barney, Wm. J., and Georgiana, petition of 57, 127, 196, 217, 231, 232
Barren county, petition of citizens of 285, 574, 586, 749
Barren County Court—see Courts, County.

Bath and Bourbon, a bill to run and mark the line between 699, 945, 945
Bath, Bourbon, and Nicholas counties, a bill to run and mark the lines between 634
Bath, Bourbon, Montgomery, and Nicholas, a bill to run and mark the lines of 676, 698
Bath county, petition of citizens of 403, 518
—see School Districts.
—see Sheriffs.
Beatty—see Towns.
Beef Cattle, a bill to regulate the selling of in Louisville 231
Bedford Division Sons of Temperance—see Division.
Bedford Lodge—see Lodges.
Bedford—see Towns.
Bell, James, an act for benefit of, &c. 182, 179, 889, 923, 946, 961
Bell, Leonard, petition of 667
Beneficial Society, Hebrew, of Louisville, act to charter the 139, 159, 168, 217, 234, 258
Benevolent Society, German Roman Catholic St. Alphonsas Leibisbund, of Louisville, act to charter the 120, 165, 204, 235, 257
Benevolent Society, Lexington Female, an act to charter the 417, 437, 455, 516, 613
Berry, Uriah G., act for benefit of 471, 873, 904, 927, 954
Big Bone Hotel Company—see Hotel Company.
Big Sandy and Maysville Railroad—see Railroads.
Billiard Tables, a bill to authorize the licensing of 116, 117, 118, 132, 134, 135, 145, 146, 147, 148, 471
Blandville Lodge—see Lodge.
Blankenship, Patrick H., resolutions in relation to death of 59
Blind Asylum, resolution to appoint committee to examine 56, 59, 74, 88, 96
committee to examine appointed 126
annual report of the visitors of the 331
—see Legislative Documents.
Bloomfield—see Towns.
Board of Internal Improvement, annual report of the 381
—see Legislative Documents
communication of President of the 91
report of in relation to claim of James McConnell 605
—see Legislative Documents.
a bill to abolish office of President of the 251, 269, 697, 698, 736, 738, 739, 740, 896, 906, 926, 942, 943, 944
resolution in relation to abolishing office of President of 680
act to abolish the office of Secretary of 896, 906, 926, 944, 948, 957
Board of Medical Examiners, a bill to establish 921, 922
Boats, a bill to extend the provisions of an act for taking up, on the Ohio, to Big Sandy 286, 357, 369, 425

Bona fide housekeepers, a bill for benefit of 897, 898
Bonds, State, and *coupons*, a bill to provide for the payment of the that are lost 505, 519, 536, 539, 935
Boone county—see Sheriffs.
Boone, Daniel, a bill to build a monument to 61
Boone Lodge, I. O. O. F.—see Lodge.
Boston—see Towns.
Bounty lands, resolution in relation to law of Congress in relation to granting to soldiers 119, 126, 161, 198
Bourbon County Court—see Courts, County.
Bourbon county, petition of citizens of 285, 436, 695
a bill to authorize to issue Railroad Bonds 169, 512, 517, 521, 535, 536, 540, 544, 545
Bowlinggreen and Tennessee Railroad—see Railroad.
Bowlinggreen—see Towns.
Bowling Saloons and Ten-pin Alleys, a bill to increase the tax on 120
Boyd, Abraham, an act for the benefit of 505, 519, 697, 770, 957
petition of 285, 374
Boyd, Frederick and James, petition of 436
Boyle county, act allowing to subscribe for railroad stock 816, 871, 908, 959

Bracken Circuit Court—see Courts, Circuit.
Bracken County Court—see Courts, County.
Bradfordsville and Lebanon Turnpike—see Roads, Turnpike.
Bradley, William, nominated for Speaker 7
votes for 8, 8
withdrawn 9
Brand, Thomas, petition of 281, 293
Breckinridge county—see School Districts.
Breckinridge, Rev. R. J., requested to deliver address on education, &c. 152, 153, 160, 193
Breckinridge Savings Bank—see Bank.
Bridge across Straight Creek, act to appropriate land warrants to make 899, 938, 948, 956
Bridge across the Ohio at Louisville, a bill to incorporate a Company to build 126, 132, 145, 160, 193
Bridge across Triplett Creek, a bill for the protection of the 74
Bridge over Salt river, act to charter a Company to construct 916, 939, 945, 961

Brooks, Col. Edward, an act for the benefit of 159, 182, 194, 206, 261
Brothers, Sarah, a bill for the benefit of, and her children 115, 140, 157
Brown, George P., letter of 252
Brown, H. M., a bill for the benefit of 287, 380, 482, 514, 608
Bullitt Chapter—see Chapter.
Bullitt county, petition of citizens of 293, 518, 574, 695
—see Sheriffs.
Bullitt Lodge—see Lodge.
Burgess, George R., leave of absence granted to 509
Burial place in Frankfort Cemetery, a bill to purchase a 599, 717, 769, 950

Burksville—see Towns.

Burlington and Dry Creek Turnpike—see Roads, Turnpike.
Burlington and Florence Turnpike—see Roads and Turnpike.
Burnett, Joseph, an act for the benefit of 342, 350, 395, 463, 521
Butler and Edmonson counties, a bill to run and mark the lines between 77, 79, 112, 131, 161, 197
Butler county, a bill to run and mark the lines of 286, 382, 414, 472
Butler, Muhlenburg, Logan and Warren counties, a bill to re-mark the lines of 169

Cadiz—see Towns.
Cain, Daniel, resolutions in relation to death of 252
Caldwell, A., petition of 321
Caldwell county, petition of citizens of 442, 601
a bill in relation to Magistrates' and Constables' Districts in 424
—see Sheriffs.
Calloway Circuit Court—see Courts, Circuit.
Calloway county, petition of citizens of 163, 248, 436
Campbell and Pendleton counties, act to run and mark lines between 79, 93, 103
Campbell County Court—see Courts, County.
Campbell, George T., appeared and took his seat 167
added to committee on Ways and Means 171
leave of absence granted to 410
Campbell, R. H., leave of absence granted to 417
Campbell, William R., nominated for Doorkeeper 21
votes for 21, 22, 23, 24, 25, 26, 27
elected 27
thanks of House returned to 949
Campbellsville and Muldrow's Hill Turnpike—see Roads, Turnpike.
Campbellsville—see Towns.
Capital Hotel Company—see Hotel Company.
Capital punishment, a bill to provide for the infliction of in private 80, 158, 163, 164
Carder, C. N., act for the benefit of 782, 871, 907, 959
Carr, James A., petition of 449, 523
Carpenter, James H., petition of 241
Carroll County Court—see Courts, County.
Carrolton and Eagle Creek Turnpike—see Roads, Turnpike.
Carrolton Library Society, act to charter the 470, 493, 558, 603, 690, 774
Carrolton—see towns.
Carter County, petition of citizens of 254, 474, 474
Carter County—see School District.
Casey County—see School Districts.
Caseyville—see Towns.
Cassity, Jesse, act for benefit of 169, 249, 267, 320, 376
Cassual Deficit in the Treasury, act to provide means to meet the 933, 941, 942, 947, 955
Catlettsburg and Grayson Plank Road—see Roads, Plank.
Cave Hill Cemetery—see Cemetery

Cemetery, Cave Hill, an act to amend the charter of the 417, 437, 455, 515, 613
Frankfort, a bill to buy a burial place in the 599, 717, 769, 950
Linden Grove, act to amend charter of 527, 540, 588, 691, 783
Cemetery Company, Frankfort, an act for benefit of, &c. 182, 179, 889, 923, 946, 961
Hawesville, act to charter 113
Centrepoint Meeting-House, a bill to incorporate 471
Chairman of the Board of Trustees of Paris, act to authorize to try misdemeanors, 938, 948, 956
of Winchester, act to authorize, &c., to grant injunctions, &c. 939, 945, 961
Chancellor of Louisville, authorized to order streets in Portland to be closed 267, 330, 631, 690, 782, 865, 937, 947, 956
Chapter, Bullitt Royal Arch, No. 44, an act to charter 474, 483, 515, 613
Daviess, No. 29 378, 402, 431, 516, 613
Georgetown, R. A. No. 13 471, 477, 552, 609, 692
Somerset, R. A. No. 25 267, 320, 376
Cheek, William, petition of 704
Christian Church—see Church.
Christian County Court—see Courts, County.
Christian county, petition of citizens of 180, 254, 588, 659, 766
remonstrance of citizens of 588
Christian county—see Magistrate's District.
Christian county—see School District.
Church, Baptist, of Bedford, act to charter 612, 681, 866, 878, 958
Baptist, at Pleasant Hill, a bill to incorporate 240
Christian, in Paducah, a bill to incorporate 55, 69, 75, 88, 96
Cumberland Presbyterian, of Mount Zion, a bill to incorporate 247, 256, 348, 369, 425
Cumberland Presbyterian, of Fredonia, a bill to charter 455, 483, 493, 515, 613
Cumberland Presbyterian, at Paducah 470, 493, 552, 609, 693
German Lutheran Presbyterian of St. John's, in Newport, act to incorporate 269, 477, 551, 609, 693
Methodist Episcopal, of Glasgow, act for sale of Parsonage of the 567, 602, 631, 690, 782
Methodist Episcopal, in Woodford, act for benefit of 63, 74, 78, 92
Methodist Episcopal, South, of Russellville, a bill to charter 481
Mount Tabor, a bill to re-build the meeting house of 264, 364, 413, 473
Presbyterian, in Mountsterling, act for benefit of 86, 114, 152, 161, 197
Presbyterian, of Paint Lick, act to charter 750, 775, 870, 958

Church, United Baptist, in Tompkinsville, a bill to incorporate the 78, 169, 180, 217, 234, 258
United Baptist, in Taylor county, a bill to incorporate the 462, 551, 608, 692
Churchill, A. P., leave of absence granted to 670
Ciceronian Society of Shelby College, act to charter the 431, 437, 516, 613
Circuit Courts—see Courts, Circuit.
Circuit Judges, an act to provide for the appointment of *pro tempore* 263, 494, 519, 555, 556, 557, 610, 696
Cities, acts &c., concerning the following
Augusta 264, 293, 369, 425, 642, 681, 866, 878, 958
Covington 153, 182, 195, 206, 261, 706, 774, 816, 958
Frankfort 199, 231, 238, 239, 258, 748, 903, 927, 955
Lexington 74, 110, 139, 163, 170, 173, 182, 192, 198, 206, 234, 258, 261, 679
Louisville 116, 441, 475, 478, 514, 574, 706, 706, 707, 714, 718, 736, 750, 753, 754, 755, 756, 766, 768, 774, 775, 868, 870, 878, 958
Maysville 192, 231, 238, 239, 251, 258, 293, 373, 633, 705, 770, 896, 904, 936, 950, 955
Newport 57, 82, 171, 181, 194, 237, 456, 505, 519, 526, 528, 555, 575, 692, 696
Citizens of Kentucky, a bill allowing, to sell articles of their own manufacture without license 120, 165
Claims, committee on appointed 64
instructed 270, 272
allowed to set during session of the house 781
discharged from business 882
Clarke County, petition of citizens of 268, 285, 439, 492, 795
Clarke County Court—see Courts, County.
Clark, James, a bill for benefit of 250, 269, 294, 322, 382, 526, 555, 691
Clark's Run and Salt River Turnpike—see Roads Turnpike.
Clarksville and Hopkinsville Turnpike—see Roads, Turnpike.
Clay and Perry Counties, a bill to define the line between 76, 82, 93, 103
a bill to change the lines of 78
Clay county, petition of citizens of 76, 76
—see School District.
—see Sheriffs.
Clay, Hon. Henry, resolutions inviting to visit the General Assembly, in the Hall of H. R. 79, 80
committee to wait on appointed 80
report of committee to wait on 81
visited the General Assembly 84
resolution to request copy of speech of for publication 84
resolution to print additional copies of 95
Clay, John, petition of 430, 476
a bill for the benefit of 512, 552, 609, 692
Clear Creek Turnpike—see Roads, Turnpike.
Clementsburg—see Towns.

Clerk of the Court of Appeals, a bill to fix the salary of the, and directing the fees of his office to be paid into the Treasury 741, 793, 794, 806, 807, 808, 862

Clerk of the Ohio County Court, a bill to allow the to transcribe certain records, &c. 74, 82, 112, 137, 162

Clerks and other officers, a bill fixing period of the listing of the fee bills of 714, 867, 891, 952

Clerks and Sheriffs, a bill to repeal laws allowing compensation to for *ex officio* services 74, 863, 864, 903, 927, 954

Clerks, a bill for the benefit of the, of this Commonwealth 287

a bill to repeal law requiring 50 cents tax fee to be paid to 481

Clerks of Circuit and County Courts, a bill to make offices of incompatible 287, 461

Clerks of the Circuit and County Courts, act for benefit of 93, 101, 127, 136, 461, 470

72

Click, David, petition of 79, 87, 105

a bill for the benefit of

Clinton—see Towns.

Coal and Manufacturing Company, a bill to charter the Western, in Hancock county 471

Coal Company, Peach Orchard, a bill to charter the 423, 430, 464, 517

Coal Mining Company, Hancock, act to charter 782

Code of Practice, a bill to establish a in civil cases 455, 508, 512, 513, 523, 524, 525, 526, 533, 537, 538, 546, 547, 548, 549, 550, 560, 561, 562, 563, 564, 748

committee appointed 68

instructed 77, 251

report of committee on 449, 450, 451, 452, 453, 454

resolution for printing the 909, 944, 948, 957

473, 523

Coe, Benjamin, petition of 248, 263

Coffman, H., petition of 94

Coldiron, John D., petition of

Collection of the revenue, a bill to regulate the fees paid for the 78, 82, 135, 275, 358, 359, 360, 484, 493, 778, 878, 958

Collector of tolls on Green and Barren River, a bill to authorize the to administer oaths, &c. 174

College, Covington Commercial, act to amend charter of 426, 437, 455, 515, 613

Henry Female, act to incorporate the 238, 320, 376

Female at Greensburg, a bill to incorporate 247

Frankfort Female, act to charter 168, 194, 237

Homeopathic of Medicine, a bill to charter the 288, 462, 551, 609, 693

Kentucky Female, at Greensburg, act to charter 373, 443, 463, 517

St. Aloysius at Louisville, an act to charter the 274, 281, 696

Union of Morganfield, act to charter 553, 602, 661, 691, 783

Collins, Lewis, petition of 143

Colonization, resolutions in relation to affording facilities for by Congress 288
Columbus Fire, Life, and Marine Insurance Company—see Insurance Company.
Columbus Masonic Seminary—see Seminary.
Combs, Gen. Leslie, use of Hall tendered to 138
Commandant of 36th Regiment, act allowing the to have fines collected 78, 668, 717, 770, 950
Commissioners, a bill to authorize the Governor to appoint in case of vacancies 935
Commissioners in Chancery, a bill regulating allowances to &c. 350, 367, 378, 528, 529, 530, 531, 532, 717, 777, 869, 951
Commissioners of Tax, a bill further to extend the duties of 206, 527, 603, 690, 773
a bill to repeal the laws authorizing the appointment of by County Courts 140, 173, 186, 187
a bill to extend duty of 206, 250, 603
Commissioners of the Sinking Fund, annual report of the 273
—see Legislative Documents.
—see also Sinking Fund.
Commissioners to lay off the counties into Justices' districts, a bill to appoint 89, 136, 137, 142, 146, 152, 154, 162, 167, 168, 181, 193
Commissioners to prepare a Code of Practice, report of the 114
Commissioners to Revise and codify Statutes and prepare a Code of Practice, resolution to fix a day to elect 54, 60, 63, 79, 93, 101
resolution to postpone the day to elect 81, 83, 88, 93
election of 101, 102
Commissioners to revise and codify the Statutes, report of the 64, 73
Commissions of officers, an act in relation to 868, 871, 907, 959
Committees, Standing, appointed:
on Agriculture and Manufactures 66
on Appellate Court 68
on Banks 67
on Circuit Courts 68
on Claims 64
on Code of Practice 68
on County Courts 68
on Courts of Justice 64
on Education 65
on Enrollments 69
on Expenditures of Board of Internal Improvement 66
on Federal Relations 67
on Internal Improvement 65
on Judiciary 64
on Library 67
on Military Affairs 66
on Penitentiary 66

Committees, Standing, appointed, viz:
on Privileges and Elections 64
on Propositions and Grievances 64
on Public Offices 67
on Public Printing 67
on Religion 65
on Revised Statutes 68
on Sinking Fund 66
on Ways and Means 65
Common School Commissioners of Monroe, a bill for benefit of 57, 62, 76, 102, 131, 161, 197
Common School Fund, an act to provide for the payment of the interest on the 434, 435, 436, 526, 582, 583, 584, 610, 764, 817, 859, 860
Governor's veto of bill to pay interest on the 817, 859, 860
resolution in relation to the interest on the 209, 414, 429, 434
Common School laws, a bill to amend the 54, 76, 198, 199, 422, 494, 551, 609, 693
a bill to condense and amend the 80
Common Schools in Anderson, act for benefit of the 749, 769, 949
in Graves, an act for benefit of 199
in Whitley, a bill for benefit of 169
Commonwealth's Attorneys, a bill in relation to fees of 706, 774, 936, 946, 962
Compromise measures and slavery, resolution of Mr. A. G. Talbott in relation to 69, 71, 71, 75
Concealed weapons, a bill to suppress the practice of carrying 55, 181, 263
Conner, Clement, an act for the benefit of 204, 233
Conn, William, petition of and others 111
Constables, a bill to allow additional to Kenton county 434
a bill concerning, and Magistrates 801
Constables of Louisville, a bill to authorize the to appoint deputies 765, 864, 916, 936, 955
Constables' and Justices' Districts—see Justices' Districts.
Constitution, resolutions referring the to committees 77
resolution to print the, with volume of acts 935
Contested election from Garrard county, committee on appointed 32
committee on allowed to sit during sesssions of House 80
report of committee on the 105, 106, 107, 108, 109, 110, 111, 112
a bill to defray the expenses of 245, 274
Convicts in the Penitentiary, act to prevent the close shaving of the heads of 282, 330, 422, 463, 521
Cook, Edmund, petition of 168
Corporations for benevolent purposes, a bill for a general law for 58
Corporations, resolution to appoint a committee to bring in a general law to charter 176
committee on appointed 176

Coryell, W. D., petition of 474
Counties, a bill to authorize the to tax themselves for internal improvement purposes 55, 88, 392
County Attorneys, a bill to define the duties of 74, 81
County Courts—see Courts, County.
County Judges, a bill to fix the salaries of the 55, 295
Coupons that are lost, a bill providing for paying the 505, 519, 536, 539, 935
Court, General, act to abolish and transfer jurisdiction of the to Franklin Circuit Court 899, 939, 942, 947, 955
Court of Appeals, committee on appointed 68
committee on instructed, 504, 707
a bill concerning the 135, 361, 367, 381, 386, 387, 388, 389, 390, 391
a bill to provide for a special, 423, 750, 775, 893, 943, 946, 961
Court of Claims, of Fayette county, a bill to change time of 120, 461, 527, 555, 692
Courts, Circuit, committee on appointed 68
a bill to limit and define the jurisdiction of 55, 82
a bill authorizing the to create certain corporations 873
a bill to provide for holding, under certain circumstances 71, 82
a bill to authorize to grant change of venue 72, 82, 114, 568, 800, 816, 860, 869, 951
a bill to fix time of holding the 449, 782, 803, 804, 805, 866, 908, 960
an act authorizing the to decree sale of real estate of Lunatics 706, 775, 893, 946, 962
Allen, act authorizing clerk of, to transfer records to clerk of the Barren Circuit Court 378, 402, 432, 463, 520
Bracken, a bill to change spring term of 680, 681, 689, 774
Butler and Edmonson, an act regulating the terms of 816, 936, 943
Calloway, a bill to change spring term of 482, 538, 554, 691
Franklin, act to transfer jurisdiction of General Court to 899, 939, 942, 947, 955
Garrard, act to regulate time of 926
Graves, a bill changing spring term of 482, 538, 554, 691
McCracken, a bill for benefit of clerk of 423, 482, 514, 608
Muhlenburg and Hancock, act regulating terms of 936, 946, 961
Nelson, a bill to change February term of the 448, 461, 478

Courts, Circuit, Scott, a bill to authorize judge of to sign records 865, 938, 947, 956
Washington, act for benefit of clerk of 679, 681, 897, 942, 946, 961
Courts, County, committee on appointed 68
instructed 114, 175
a bill to organize in the several counties 95, 123, 260, 266, 285, 289, 290, 360, 417, 431, 584, 585, 589, 590, 594, 595, 596, 597, 598, 599, 605, 606, 617, 620, 621, 622, 623, 624, 625, 626, 627, 628, 634, 635, 636, 637, 638, 639, 640, 645, 646, 647, 648, 649, 650, 654, 655, 656, 657, 658, 659, 661, 662, 663, 664, 665, 666, 673, 674, 675, 678, 695, 707, 783
resolution ordering printing of act organizing 699
a bill for special terms of 714, 892, 953
an act to amend the act organizing in the several counties 815, 896, 904, 905, 934, 960
an act to authorize the to change the names of persons 268, 342, 438, 463, 517
an act to provide for special terms of the 559
a bill allowing certain to subscribe for railroad stock 670, 695, 770, 951
a bill to amend the laws allowing the to grant private passways 814
a bill to fix time of quarterly terms of the 680
acts, &c., concerning in the following counties:
Allen 642, 749, 770, 957
Barren 470, 552, 603, 749, 769, 950
Bracken 196, 274, 438, 464, 516, 717, 867, 891, 952
Bourbon 79, 84, 88, 97, 800, 893, 952
Campbell 71, 114, 154, 194, 237
Carroll 634, 660, 736, 777, 869, 951
Christian 713, 815, 891, 898, 954
Clarke 697, 864, 815, 864, 892, 904, 904, 936, 953, 957
Daviess 528, 567, 608, 692
Franklin 865, 903, 927, 955
Fulton 269, 322, 369, 425
Gallatin 634, 660, 736, 777, 869, 951
Grant 801, 871, 907, 959
Hardin 470
Harlan 174
Harrison 471, 508
Henry 262
Hickman 255, 269, 341, 369, 425, 482, 514, 607
Lewis 276
Logan 631, 681, 796, 866, 908, 960
Madison 864, 904, 904, 936, 957
McCracken 423, 482, 514, 608
Meade 294, 368, 414, 472
Monroe 899, 938, 947, 955

Courts, County, acts, &c., concerning the following counties:
Montgomery 287, 534, 676, 713, 765, 782, 869, 878, 908, 952, 954
Nelson 247, 283, 552, 603, 749, 769, 950
Nicholas 256, 282, 319, 376
Oldham 72
Owsley 679, 681, 866, 878, 958
Shelby 58, 62, 75, 88, 96, 139, 196, 231, 482, 483, 493, 515, 603, 612, 631
Simpson 632, 681, 796, 866, 908, 960
Spencer 251, 286, 377, 414, 472
Taylor 358, 462, 551, 608, 693
Union 264, 282, 320, 376
Warren 168, 194, 237
Wayne 472, 801, 867, 892, 953
Woodford 884, 905, 934, 937, 943, 948, 957, 960
Covington, a bill to authorize the City Council of to create two additional voting places 782, 870, 907, 959
act for benefit of Common School Trustees of 431, 437, 477, 515, 612
—see Cities.
Covington and Lexington Railroad—see Railroads.
Covington and Lexington Turnpike—see Roads, Turnpike.
Covington Commercial College—see College.
Covington Deposit Bank—see Bank.
Crab Orchard—see Towns.
Craig, Andrew, petition of 368, 474, 557
Criminal proceedings, a bill to amend the law in relation to 58
Crittenden Lodge—see Lodge.
Crittenden—see Towns.
Crook, John Taylor, petition of 87
a bill for his benefit 129, 152, 161, 197
Croxton, Joseph, nominated for Doorkeeper 21
votes for 22, 23
Crutchfield, James S., a bill for benefit of 245
Culver, C. P., use of Hall allowed to 270, 280
Cumberland county, petition of citizens of 268, 574
—see Magistrates' District.
—see Sheriff.
Cumberland Hospital, annual report of the Commissioners of the 291
Cumberland Lodge—see Lodge.
Cumberland Presbyterian Church—see Church.
Cunningham, James, a bill for the benefit of 103, 126, 160, 197
Curd, Edward, petition of, and others 87
a bill for benefit of 123, 142, 161, 197
Curd, James H. and Joseph F., a bill for benefit of 169, 185, 217, 234, 258
Curd, Joel, petition of, and others 87
Curd, Wm. H., petition of, and others 87
Curd Lodge—see Lodge.
Curry, James R., petition of 280

Custom House of the United States at Louisville, a bill concerning the 765
Custom Houses, Post Offices, &c., erected by General Government, an act exempting the from taxation 782, 871, 907, 959
Cynthiana Hotel Company—see Hotel Company.
"Cynthiana News," a bill declaring the a public authorized newspaper 559
Cynthiana—see Towns.
Danville and Bardstown Railroad—see Railroads.
Danville and Hustonsville Turnpike—see Roads, Turnpike.
Danville Deposit Bank—see Banks.
Danville—see Towns.
Davidson, Samuel P., a bill for benefit of 139, 169, 204, 234, 258
Daviess County Court—see Courts, County.
Daviess County, a bill to encourage the construction of Plank, Turnpike and Railroads in 512, 536, 555, 691
Daviess County, petition of citizens of 293, 426, 426
Daviess County—see Sheriffs.
Daviess, Jno. T. and Ann, petition of 403, 431, 431
Davenport, Maria, a bill for benefit of 435, 456, 526, 555, 692
Dawkins, Johnson, petition of 61, 79
Dawson, Aaron, petition of 532
a bill for benefit of 532, 633, 643, 644, 867, 892, 953
Days of Grace on negotiable paper, a bill to regulate the 174, 185, 256, 257
Deaf and Dumb Asylum, annual Report of the 105
—see Legislative Documents.
resolution to appoint committee to examine 56, 64, 74, 79, 92
committee to examine appointed 126
a bill for the benefit of the 778, 860, 861
petition of the Directors of the 249.
Debates of the Constitutional Convention, resolution to appoint a committee to inqure into and report how they shall be disposed of &c. 206
committee appointed 206
report of committee on distribution of 227, 228
resolution to furnish the General Assembly with 217, 228, 234
Deeds, a bill in relation to the authentication of 276, 363
Defalcation in the Treasury, resolution in relation to 505, 506
Deficit, Casual, in the Treasury, act providing means to meet the 933, 941, 942, 947, 955
Delinquent lists of county levy, a bill to enforce the collection of 472
Denny, Jeremiah, a bill for the benefit of 140
Dental Surgery, a bill to amend charter of school of 864, 903, 927, 955
Deposit Bank of Covington—see Bank.
of Danville—see Bank.
of Maysville—see Bank.

Desha, Lucius, nominated for Speaker 9
votes for 10, 11
withdrawn 11
leave of absence granted to 707
Districts, Common School—see School Districts.
for the election of Judges of the Court of Appeals, an act to divide the State into four, 390, 391, 402
for election of Justices and Constables—see Justices Districts.
Judicial—see Judicial Districts.
Justices' and Constables', a bill to lay off the counties into 89, 123, 136, 137, 137, 142, 146
Division, Bedford, No. 159, Sons of Temperance, a bill to charter 55, 114, 136, 161, 197
Edmonton, No. 129, Sons of Temperance, a bill to charter 120, 165, 204, 245, 258
Hancock, No. 12 233, 249, 281, 323
Lexington, No. 21, S. of T., a bill to charter 247, 423, 474, 514, 608
Owen, No. 220, act to charter, 559, 633, 706, 777, 909, 954
Pikeville, No. 79, act to charter 552, 602, 631, 691, 782
Russellville, No. 51, a bill to charter 509, 522, 552, 609, 693
Simpson, No. 75, act to charter Hall of 245, 249, 267, 320, 376
Sligo, No. 18, act to charter the 471, 476, 552, 609, 692
Dodge, L., petition of 139
Dougherty, Joseph, leave of absence granted to 539
Drake, Daniel, petition of, and others 254
Driscum, Lorenzo, a bill for the benefit of 61
Dudley, W. T., petition of 668
a bill for the benefit of 714, 867, 891, 952
Duelling, a bill to suppress the practice of 72
Dupuy, Flora, a bill for benefit of 251
Duvall, Alvin, appeared and took his seat 147
resolution to add to committee to visit Blind Asylum, &c. 161
added to committee on Federal Relations 168
added to committee on Code of Practice 255
Duvane, Michael, act for benefit of children and heirs of 282, 330, 378, 516, 613

Eagle Creek, New Liberty, &c. Turnpike—see Roads, Turnpike.
East Maysville and Railroad Company, a bill for benefit of 150, 171, 194, 237
East Maysville—see Towns.
Eddyville—see Towns.
Edmonton Division Sons of Temperance—see Division.
Education, committee on appointed 65
instructed 119, 170, 468
report of committee on, in relation to payment of interest on the School Fund by Commissioners of Sinking Fund 209, 414, 429
Edwards, R. L., petition of 417

Egington, Charles, petition of 492
Election Laws, an act to regulate the 520, 521, 564, 565, 568, 569, 570, 571, 572, 573, 575, 576, 577, 578, 579, 580, 581, 781, 814, 908, 960
Election precincts, act to authorize Council of city of Covington to create two 782, 870, 907, 959
a bill to divide each county in the State into 135, 587
acts, &c., concerning, in the following counties:
Breckinridge 802, 868, 909, 953
Bullitt 873, 904, 927, 954
Caldwell 802, 868, 892, 954
Campbell 470, 873, 903, 927, 955
Christian 801, 868, 891, 952
Cumberland 470, 545
Grant 801, 868, 878, 909, 953
Greenup 868, 908, 959
Harrison 608, 802, 868, 909, 953
Henderson 802, 868, 909, 953
Hopkins 801, 867, 892, 954
Jefferson 575, 602, 706, 774, 870, 873, 879, 904, 907, 927, 955, 957
Jessamine 772, 815, 869, 951
Logan 696, 699, 715, 958
Marion 404, 437, 510, 610, 696
Muhlenburg 801, 868, 892, 954
Nicholas 612, 681, 797, 907, 959
Ohio 801, 867, 891, 952
Owen 802, 938, 948, 956
Scott 801, 868, 878, 884, 905, 909, 934, 953, 960
Shelby 678, 681, 801, 867, 892, 954
Simpson 539, 802, 868, 909, 953
Trigg 482, 483, 516, 613
Trimble 802, 868, 891, 954
Whitley 472
Woodford 802, 868, 909, 953, 957
Elections, an act to regulate 581, 781, 814, 908, 960
resolution to print act to regulate 814
in Owen and Mason counties, a bill in relation to 511, 552, 609, 693
resolution to appoint committee to bring in a bill to provide for all, of officers under Constitution 74
committee to bring in bill appointed 74
a bill to regulate 135, 520, 521
Elizaville and Helena Turnpike—see Roads, Turnpike.
Elizaville—see Towns.
Ellis, Caroline, act for benefit of 426, 437, 455, 510, 612
Mrs. Ann, an act for benefit of 494, 519, 528, 610, 696
Enrollments, committee on appointed 69
Erodelphian society of Cumberland College, a bill to charter the 521, 610, 659, 690, 773

Estates, a bill to protect and settle the rules of settling the, of decedents 57
of *infants and femes covert*, an act to authorize the sale of 717, 776, 890, 945, 962
of Lunatics, a bill authorizing circuit courts to decree sales of 706
of persons of unsound mind, a bill to regulate 185, 357, 369, 425
Estepp, John, a bill for benefit of 287
Estill and Owsley counties, a bill to run and re-mark the boundary line between 199, 205, 267, 320, 376
Estill county, petition of citizens of 153, 247, 247, 262, 439, 551
remonstrance of citizens of 262
Estill Seminary—see Seminary.
Execution Laws, a bill to amend the 58, 85, 115
Exemption Laws, a bill to amend the 57, 782, 810, 811, 862, 863, 907, 959
Ex-officio services, a bill to repeal the laws allowing pay to clerks and sheriffs for 74, 863, 864, 903, 927, 954
Expenditures of Board of Internal Improvement, committee on appointed 66
report of committee on the 924
Falls City Insurance Company—see Insurance Company.
Falmouth Library Association, act to charter the 935, 938, 948, 957
Farmers Bank of Kentucky—see Banks.
Farmers Turnpike—see Roads, Turnpike.
Faulkner, James, act for benefit of 174
Fayette county and Lexington, act allowing to subscribe for Railroad stock 136, 137, 152, 153, 154, 158, 162, 263, 293, 369, 426, 943, 944, 945, 961
act to amend act allowing to subscribe for Railroad stock. 939, 946, 961
petition of citizens of 217, 285, 439
Federal Relations, committee on appointed 67
instructed 163
Fees, resolution to appoint a committee to bring in a bill to fix a uniform tariff of for clerks, justices, &c. 57
Felony, a bill to provide the mode of prosecuting slaves for 801
Felton, Philip, a bill for the benefit of 559, 873, 904, 927, 954
Female College—see College.
Femes Covert, an act authorizing the sale of estates of 717, 776, 890, 945, 962
Fenston, Elizabeth, a bill for the benefit of 676
Ferries, an act authorizing the establishment of 865, 926, 938, 947, 956
an act to regulate 147, 182, 195, 260
Ferry across the Ohio at Milton, a bill to establish 168, 170, 206, 261
Fields, Horatio, a bill for the benefit of 256, 293, 369, 425
Fields, Thomas J., petition of 241
Fire Department of Louisville, an act to charter the 267, 281, 422, 475
Fire Engine and Hose Company, Neptune, act to charter the 865

First Auditor, annual report of the 61
—see Legislative Documents.
—communication from the 603
Flanagan, William, petition of 612
Fleming county, an act to condemn land for a burial ground in 426, 437, 475, 516, 608
petition of citizens of 248, 255, 285, 538, 538
remonstrance of citizens of 248, 255, 538
petition of Physicians of 473
Fleming county—see Magistrates Districts.
Flemingsburg and Upper Fox Springs Turnpike—see Roads, Turnpike.
Flemingsburg—see Towns.
Florence Academy—see Academy.
Florence—see towns.
Flournoy, Elizabeth C., act for benefit of 679, 681, 866, 878, 958
Floyd county, petition of citizens of 285, 321, 430, 778
petition of School Commissioners of 551
a bill in relation to vacant lands in 283
Floyd's Fork, a billl to prevent the destruction of fish in 512, 713, 800, 892, 953
Fox, William, a bill for benefit of 58, 159, 171, 194, 237
William M., a bill for benefit of 251, 285, 368, 414, 473
Frankfort, a bill to authorize city of to subscribe for road stock 865
Frankfort and Lexington Turnpike—see Roads, Turnpike.
Frankfort Cemetery—see Cemetery.
Frankfort Female College—see College.
Frankfort, memorial of citizens of 235
Frankfort—see Cities and Towns.
Frankfort, Versailles and Lexington—see Roads, Turnpike.
Franklin county, petition of citizens of 403
Franklin Female Institute, petition of Trustees of 442
Franklin Fire, Life and Marine Insurance Company—see Insurance Company.
Franklin, Martin, a bill for benefit of 270
Free negroes, a bill to prevent from emigrating to this State 899
Free negroes and mulatoes, a bill concerning 54, 69, 115, 121, 125, 141, 333, 334, 335, 336, 343, 344, 345, 346, 347, 349, 364, 365, 366, 367, 904, 905, 936, 955
Fulton County Court—see Courts, County.
Fulton county, petition of citizens of 611
Fulton county—see School Districts.
Funk Seminary and Masonic University, act for benefit of 113, 132, 160, 193
Furber, John N., petition of 172
Gaines, Edmund P., nominated for Librarian 277
votes for 278
joint votes for 278
withdrawn 279
Gaither, Edgar B., leave of absence granted to 414
Gallager, John M., petition of 410, 494
a bill for benefit of 697, 867, 891, 951

Gallatin county, petition of School Commissioners in 338
Gambling, a bill to suppress 61, 166, 893, 894, 895
Garrard county, contested election, a bill to pay expenses of the 245
committee on contested election from, appointed 32
committee allowed to set during the session of House 80
report of committee on the 105, 106, 107, 108, 109, 110, 111, 112
—see School Districts.
Garrard, Thomas L., act for benefit of 282, 330, 380, 421, 475
Gatliff, Squire, appeared and took his seat 392
Geiger, Samuel L., leave of absence granted to 416
General Assembly, resolution for adjournment of *sine die* 368, 515, 516, 605, 614, 617, 771, 779, 780, 781, 800
resolution concerning the pay of members of the 232, 241, 270, 272, 273
resolution for a recess of the 139, 148, 149
resolution to rescind resolution for a recess of the 228
resolution to exclude members of from pay in recess 241, 270, 272, 273
adjournment of *sine die* 963
General Laws, resolution for printing and distributing the 943, 944, 946, 962
Geological Survey, a bill for making a, of the State, 55, 116, 129
Georgetown and Dry Ridge—see Roads, Turnpike.
Georgetown and Louisville Branch Railroad—see Railroads.
Georgetown and Paris—see Roads, Turnpike.
Georgetown Chapter—see Chapter.
Georgetown—see Towns.
German Lutheran Church—see Church.
German Roman Catholic St. Alphonsus Leibisbund Benevolent Society of Louisville, a bill to incorporate the 120, 165, 204, 235, 257
Germantown and Gault's Mill—see Roads, Turnpike.
Germantown and Thompson's Ford—see Roads, Turnpike.
Germantown Lodge—see Lodge.
Ghent and Eagle Creek—see Roads, Turnpike.
Ghent—see Towns.
Gilless, William C., petition of 474
Gill, Harrison, a bill for the benefit of 287
Gill, Harrison, and others, petition of 567
Glasgow and Scottsville—see Roads, Turnpike.
Glasgow—see Towns.
Glencoe Turnpike—see Roads, Turnpike.
Golladay, Jacob S., appeared and took his seat 795
Goodin, John, an act for benefit of 601, 602, 671, 682
Goose Creek Turnpike—see Roads, Turnpike.
Gorham, William A., a bill for benefit of 157, 171, 193, 237
nominated for Doorkeeper 21
votes for 22

Gough, William R., an act for benefit of 154, 182, 262, 320, 378
Governor, resolution requesting the to have the remains of certain persons removed to Frankfort Cemetery 180
a bill to authorize the to appoint commissioners in case of vacancies 935
annual message of 33
for documents accompanying message—see Legislative Documents.
committee to wait on appointed 32, 963
message of in relation to Barlow's Planetarium 97
message of vetoing bill for benefit of Bacon College 728
message of communicating resolutions of Indiana Convention in relation to death of Col. R. M. Johnson 130
message of communicating resolutions of Indiana Convention in relation to the compromise measures 156
message of covering report of committee to contract for the building of the Military Monument 175, 176, 293, 342
message of vetoing bill for benefit of V. T. Smith 384
message of in relation to railroads and grant of lands by Congress, &c. 242
special message of in relation to the School Fund and Sinking Fund 296, 318, 319, 331, 332
resolution calling on the for information in relation to the School and Sinking Funds 258
message of vetoing bill to pay interest of School Fund 817, 859
message of covering resolutions of New Hampshire in relation to the compromise measures 336
message of communicating the condition of the ordinary revenue, School and Sinking Funds 343
—see Legislative Documents.
Gowdy, Alfred F., an act for the benefit of 358, 462, 551, 608, 693
Gracey, William, petition of 274, 285
a bill for his benefit 285, 372, 373, 404, 410, 425
Grain, a bill to regulate weight of 288
Grand Temple of Honor, an act to charter the and the subordinate temples 505, 519, 528, 610, 697
Grant County Court—see Courts, County.
Grant county, petition of citizens of 492, 630
Grant county—see Sheriffs.
Grant Lodge—see Lodge.
Graves and Hickman counties, a bill to provide for running and marking lines between, 707, 776, 814, 878, 958
Graves Circuit Court—see Courts, Circuit.
Graves county—see School Districts.
petition of citizens of 76, 254, 704
an act concerning the Treasurer of 382, 402, 476, 515, 613
Gray, Joseph, nominated for Sergeant-at-arms 20
votes for 20
elected 21
permitted to employ B. Hardin, jr., as assistant 73
thanks of House returned to 949

Grayson—see Towns.
Green county, petition of citizens of 748
Green, Henry L., a bill for benefit of 240, 247, 263
Greenup county, petition of citizens of 377, 695
Greensburg Kentucky Female College—see College.
Greenup county—see School Districts.
Greenville Institute, an act to incorporate the 199
Greenville Mansion Hotel Company—see Hotel Company.
Greenville—see Towns.
Green, W. M., leave of absence granted to 414
Greenwood Seminary—see Seminary.
Gressom, Thomas, petition of 75, 94
Halbert, William C., a bill for the benefit of 342, 350, 381, 382, 421, 475
Hall, J. J., petition of 337
a bill for benefit of 373, 482, 514, 608
Hall, M. T., a bill to appoint as Commissioner to lay off Warren county into districts 185, 199, 234, 258
Hamilton, A. W., act for benefit of, and others 816, 871, 908, 961
Hamilton, Isham G., a bill for benefit of 534, 589, 705, 770, 950
Hampton, George M., leave of absence granted to 527
Hancock Coal Mining Company, act to charter the 689, 774, 782
Hancock Cemetery—see Cemetery.
Hancock county, act concerning coal mining in 871, 908, 959
a bill to regulate the division of into districts 217, 233, 238, 261
a bill for collection of an *ad valorem* tax in 471
petition of citizens of 404, 518, 641, 736
Hancock Division, Sons of Temperance—see Division.
Hancock Lodge—see Lodge.
Hancock Manufacturing Company, act to charter the 552, 609, 692
Hanson, Samuel, nominated for Speaker 5
votes for 6, 7, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19
Hardin county, petition of citizens of 268, 392, 508, 514, 519, 574, 601
—see Mechanics.
—see Magistrates' districts.
Hardinsburg—see Towns.
Hardinsville—see Towns.
Harlan, James, nominated for Commissioner for Code of Practice 102
elected 102
invited to seat in the hall 509
Harlan, James, Jr., nominated for Librarian, 277
votes for 278, 279
joint votes for 278, 280
Harlan, John M., allowed seat as Reporter 32
Harman, William, petition of 69
a bill for the benefit of 129, 152, 176, 194, 237
Harrodsburg Academy—see Academy.
Harrodsburg and Big Sandy—see Roads, Turnpike.
Harrodsburg—see Towns.

Harris, Daniel H., nominated for Librarian 277
votes for 278, 279
joint votes for 278, 280
Harris, George W., petition of 392, 431
Harris, Malinda, petition of 586, 614
Harrison county, petition of citizens of 75, 442
remonstrance of citizens of 321, 508, 508
Hart county, remonstrance of citizens of 238
petition of citizens of 255
—see School Districts.
Hartford—see Towns.
Harvey McGuire Lodge—see Lodge.
Hatcher, James G., a bill for benefit of 104, 168, 177, 194, 237
Hawesville Cemetery Company, act to incorporate 113, 132, 160, 192
Hawesville—see Towns.
Haycraft, Samuel, a bill for the benefit of 71, 88, 93, 137, 162
Hays, Randall G., leave of absence granted to 707
Hays, Robert, petition of 255
Hazlerigg, James G., a bill for benefit of heirs of 245, 276, 322, 369, 425
Heads of convicts, act to prevent close shaving of the 282, 330, 422, 463, 521
Heady, Stillwell, nominated for Speaker 13
votes for 13, 14
withdrawn 15
Heaton, J. F., petition of 281
Hebrew Beneficial Society of Louisville, a bill to incorporate the 139, 159, 168, 217, 234 258
Hebron Lodge, I. O. O. F.—see Lodge.
Helms, John M., nominated for Door-keeper 21
votes for 21, 22, 23, 24, 25, 26, 26
Helm, Thomas J., elected clerk 20
thanks of House returned to 949
Henderson and Nashville Railroad—see Railroads.
Henderson county, petition of citizens of 84, 526, 556, 586
—see School Districts.
Henry Academy—see Academy.
Henry county, petition of citizens of 460
—see School Districts.
Henry Female College—see College.
Herndon, John C., nominated for assistant Clerk 27
votes for 28, 29, 29, 30
Hibbard, Lemuel, petition of 357, 383
Hickman County Court—see Courts, County.
Hickman—see Towns.
Hillary, Francis, petition of 72
a bill for the benefit of 85, 112, 137, 162
Hill, Green, petition of 436
Hill, Martin G., petition of 611
Hillsboro'—see Towns.
Hobson Lodge I. O. O. F.—see Lodge.

Hodges, A. G. & Co., nominated for Public Printers 277
elected Public Printers 277
Hodges, A. G., and T. S. Page, act for benefit of 171, 182, 195, 232, 238, 261
Hogan, David and John, an act for benefit of children of 612, 681, 866, 878, 958
Holeman, D. W., a bill for the benefit of the heirs of 865, 938, 948, 957
Holloway, John G., an act for the benefit of 696, 674, 870, 959
Homœopathic College—see College.
Homestead Exemption Law, a bill to provide for 71
Hopkins county, petition of citizens of 426, 879
—see School Districts.
Hopkinsville Baptist Academy—see Academy.
Hopkinsville Insurance Company—see Insurance Company.
Hoskins, Ezekiel, petition of 94
Hoskins, Wm., A., memorial of 16
resolution referring memorial of to a select committee 32
committee on memorial of appointed 32
permitted to appear by counsel, &c. 110
retraxit of, of claim to seat from Garrard 112
Hotel Company, Big Bone, an act to charter 801, 926, 960
Cynthiana, act to charter 864, 938, 948, 956
Capital, act to charter the 717, 775, 908, 959
Greenville Mansion, a bill to charter the 750, 775, 870, 958
Union, of Louisville, a bill to charter the 471, 476, 614, 554, 692
Housekeepers, an act for the benefit of *bona fide* 897, 898
Houser, Martin, act for the benefit of 560, 935, 943, 948, 956
Howell, David, petition of 72
a bill for his benefit 129, 167, 194, 237
Hughes, James R., a bill for benefit of 251
Hunt, John A., a bill for benefit of 671, 672, 815, 870, 951
Hunt, S. W., petition of 611
Huphussas or Immortal Sevens, petition of the 392, 557, 899
Indiana Constitutional Convention, resolutions of in relation to death of Col. R. M. Johnson 130, 131
resolutions of in relation to compromise measures 156, 157
Independence—see Towns.
Infants, a bill to amend the law respecting the sale of estates of 71
an act authorizing the sale of estates of 717, 776, 890, 945, 962
Ingels, H. B., petition of 94, 122
Injunctions, a bill authorizing Clerks, Police Judges, and Justices to grant 864
Insolvents, a bill to protect the rights of persons having stock killed by 61
Institute, Greenville, an act to incorporate the 199, 233, 281, 323

Institute, Hopkinsville Baptist Female, act to charter 392, 402, 417, 463, 520
Kentucky Military, a bill prohibiting the sale of liquor and goods to the students of the 865, 938, 947, 956
Lexington Savings, a bill to charter 358
Institution, Lexington Savings, a bill to charter 423, 438, 865, 903, 927, 954
Literary of St. Magdalen, a bill to charter 505, 522, 558, 699, 774
Institution for Education of the Blind, annual report of visitors of 331
—see Legislative Documents.
committee to examine appointed 126
resolution to appoint committee to examine 56, 59, 74, 88, 96
Institutions, Masonic of Louisville, a bill to incorporate the several 270, 283, 342, 369, 425
Insurance Companies of Louisville, petition of 813
Insurance Company, Columbus Fire, Life and Marine, act to amend charter of 505, 519, 528, 610, 696
Falls City, act to charter the 505, 519, 528, 539, 613, 667
Falls City, act to amend charter of 667, 713, 867, 891, 952
Franklin Fire, Life and Marine, act to amend charter of the 378, 402, 431, 516, 612
Hopkinsville Fire, Life and Marine, act to amend the charter of 505, 519, 528, 610, 696
Kentucky and Louisville Mutual, report of the 361
Lexington, act to amend charter of 270, 433, 474, 515, 607, 748, 765, 899, 952
Marine, of Paducah, act to charter 251, 264, 282, 342, 438, 514, 608
Washington Support and Health, act to charter the 782, 871, 907, 959
Interest on the School Fund, resolutions in relation to 209, 414, 429 434,
an act providing for the payment of the 434, 435, 436, 526, 582, 583, 584, 610, 764, 817, 859, 860
Governor's veto of act for payment of 817, 859, 860
Interests of persons holding slaves in reversion, a bill to protect the 865, 938, 947, 956
Internal Improvement, Board of, annual report of the 381
—see Legislative Documents.
—see Board of Internal Improvement.
committee on appointed 65
instructed 275, 383, 439
Iron masters in Caldwell county, an act for the benefit of 199, 233, 281, 323
Irvine—see Towns.
Jacobs, John A., use of hall granted to 101

Janes, John, petition of 163, 173
Jefferson and Brownsboro'—see Roads, Turnpike.
Jefferson county, a bill to establish a levy and monthly County Court for 801, 871, 908, 961
petition of citizens of 185, 519, 641
petition of bar of 574, 641
—see Election Precincts.
Jessamine county, petition of citizens of 135, 249, 274, 460
—see Election Precincts.
—see School Districts.
Jesup, Samuel B., resolution to appoint temporary speaker 14
Joint Stock Building Company of Versailles, act to charter the 559, 633, 706, 770, 950
John's Creek, a bill to repeal part of act to build mill dams across 110, 126, 160, 197
Johnson, Col. Richard M., a bill to erect a monument to 140, 166, 168, 170, 419, 420, 421, 717, 769, 950
resolutions in relation to death of 92
committee to attend to funeral of appointed 92
resolution in relation to the funeral discourse over remains of 103, 131, 160, 193
resolutions of convention of Indiana relative to death of 130, 131
resolutions in relation to action of Indiana convention on death of 139, 152, 160, 193
Johnson county, petition of citizens of 285, 321, 430
—see School Districts.
Johnson, George, of Morganfield, an act for the benefit of 426, 437, 897, 907, 959
Johnson, M. C., nominated for commissioner of Code of Practice 102
elected 102
invited to a seat in the Hall 509
Johnson, M. W., petition of 72, 94
Johnston, George W., nominated for Speaker 5, 18
votes for 6, 7, 18, 19, 20
withdrawn from nomination 7
elected Speaker 20
thanks of House returned to 948
Jones, Philip F., a bill for benefit of 342, 350, 881
Judge of the Scott Circuit Court, act to authorize the to sign certain records 865, 938, 947, 956
Judges, Circuit, an act to provide for the appointment of *pro tem.* 263, 494, 519, 555, 556, 557, 610, 696
Judges of the Court of Appeals, an act to divide the State into four districts for the election of 390, 391, 404
Judges of the Court of Appeals, a bill to reduce the number of 73
Judicial Districts, a bill to divide the State into four Appellate 54, 159, 348, 361, 367, 381, 386, 387, 388, 389, 390, 391, 413, 473

Jodicial districts, a bill to form twelve Circuit Court 54, 94, 141, 146, 166, 167, 171, 177, 178, 179, 188, 189, 190, 191, 192, 198, 200, 201, 202, 203, 210, 211, 212, 213, 214, 215, 216, 229, 230, 236, 237, 296, 332, 351, 352, 353, 354, 355, 356, 357, 395, 396, 455, 463, 516
an act to divide the State into twelve for Circuit Courts 210, 210, 230, 395, 396, 397, 398, 399, 400, 405, 406, 407, 408, 409, 413
Judicial orders and sales, a bill authorizing the publication of 199, 242
Judiciary, committee on appointed 64
instructed 83, 119, 140, 173, 176, 558, 558, 659, 814
discharged from business 943
Jurors, a bill for the payment of before Magistrates 129, 545, 715, 742, 767, 777, 795
Jury laws, a bill to amend the 57, 264
Jurymen, a bill to reduce the number of in cases before justices 471
Justices' and Constable's Districts, acts, &c., concerning, in the following counties; viz:
Barren 482, 483, 516, 613, 801, 868, 890, 952
Boone 527, 540, 796, 866, 908, 959
Breckinridge 802
Caldwell 527, 540, 567, 602, 802, 868, 892, 954
Carter 511, 705, 769, 884, 905, 934, 949, 961
Christian 426, 429, 539, 568, 575, 696, 801, 801
Crittenden 462, 527, 554, 691
Cumberland 545, 586, 614, 693
Fleming 545, 586, 614, 693, 783, 815, 869, 951
Fulton 255, 264, 274, 320, 376, 482, 484, 516, 612
Garrard 559, 802, 884, 904, 936, 955
Grant 392, 393, 422, 475, 801, 868
Green 462, 527, 554, 691
Harrison 680, 802
Henderson 802
Henry 348, 351, 370, 426
Hopkins 801
Jefferson 266, 266, 274, 281, 323
Kenton 799
Knox 867, 892, 952
Laurel 348, 351, 370, 426, 428, 482, 520, 555, 691
Lewis 801, 868, 891, 952
Logan 426, 437, 463, 520
Madison 697, 781, 869, 951
Marion 801, 867, 892, 954
Mason 801, 867, 892, 953
Mercer 266, 266, 320, 378, 801, 867, 909, 916, 939, 946, 954, 962
Monroe 559, 801, 952
Muhlenburg 801, 868, 892, 954
Nelson 801, 868, 878, 908, 953
Nicholas 612, 681, 797, 802, 884, 904, 936, 955
Ohio 801, 867, 891, 952

Justices' and Constable's Districts, acts, &c., concerning, in the following counties; to-wit:
Owen 802, 802
Pendleton 802, 868, 891, 936, 953, 955
Pike 937, 943, 948, 957
Pulaski 267, 281, 323, 431, 437, 463, 520, 527, 540, 796, 866, 893, 959
Russell 796, 866, 908, 959
Scott 587, 602, 642, 670, 697, 801, 868, 878, 909, 953
Shelby 559, 801, 867, 892, 954
Simpson 539, 802
Spencer 801, 867, 909, 953
Taylor 904, 936, 955
Trigg 482, 483, 516, 610, 613
Trimble 802
Warren 782, 811, 812, 870, 958
Wayne 260
Woodford 802
Justices of the Peace, a bill to increase jurisdiction of 54, 165, 285, 295, 325, 330, 338, 339, 340, 341, 350
a bill to associate with County Judges, at Court of Claims 61
a bill providing further for the collection of debts before 251, 660
a bill concerning records and books of 288, 865, 934, 947, 956
a bill to reduce number jurymen in cases before 471, 545, 715, 742, 767
of Hickman county, a bill for the benefit of 423, 482, 514, 607
of Madison, petition of 111
Keeper of the Penitentiary, an act better to define the duties of 588, 814, 869, 951
Keene, Greenup, nominated for Doorkeeper 21
votes for 22, 23, 24, 25, 25, 26
Kelly, Charles C., act for benefit of 679, 681, 896
Kenton county—see School Districts.
—see Sheriffs.
Kenton county Turnpike—see Roads, Turnpike.
Kentucky and Louisville Mutual Insurance Company—see Insurance Company.
Kentuckians who fell at Raisin, an act for the interment of the remains of the 438, 483, 492, 515, 613
Kentucky Female College—see College.
Kentucky, memorial of citizens of 239, 262, 281, 282, 916
committee on appointed 282
report of committee on 916, 921
Kentucky Military Institute—see Institute.
Kentucky Penitentiary—see Penitentiary.
"Kentucky Rifle," an act declaring the a public authorized newspaper 706, 775

Kentucky River, a bill to improve navigation of, from Clay's Ferry to the Goose Creek Salt Works 270
a bill to provide for collection of tolls on, and Green and Barren Rivers 270, 276, 567, 602, 643, 691, 782
a bill relative to the navigation of the 471
a bill to remove obstructions in, above slackwater 470
Kentucky Savings Bank—see Bank.
King, Nancy, petition of 68, 81
King, Paul, petition of 248, 263, 268
Kinkead, Robert, a bill for the benefit of 265, 276, 341, 369, 425
Knox and Harlan counties, a bill to run and mark the lines between 139, 771, 815, 878, 908, 954
Knox county, petition of citizens of 449
—see School Districts.
—see Sheriffs.
Knox, David A., an act for the benefit of 342, 350, 431, 463, 520
Kouns, William, a bill for the benefit of 462, 510
Lancaster—see Towns.
Landes, Daniel, added to committee on Education 173
Landes, Isaac, petition of 84
Lands, vacant, in Floyd county, an act disposing of the 323, 369, 425
Larue county, petition of citizens of 505
Lashbrooke, Peter, leave of absence granted to 670
Laurel County Seminary—see Seminary.
Laurel county, petition of citizens of 357, 404, 449, 508, 523, 601
—see School Districts.
Lawrenceburg—see Towns.
Lawrence county, petition of citizens of 84, 94, 534, 567, 679, 679
remonstrance of citizens of 679
—see School Districts.
—see Sheriffs.
Laws, Common School—see Common School Laws.
Criminal—see Criminal Laws.
Exemption—see Exemption Laws.
Jury—see Jury Laws.
Penal—see Penal Laws.
Road—see Road Laws.
Revenue—see Revenue Laws.
Stray—see Stray Laws.
Lea, Abner, a bill for benefit of 321
Leaves in the woods, an act to prevent burning of 916, 937
Lebanon and Bradfordsville—see Roads, Turnpike.
Lebanon and Perryville—see Roads, Turnpike.
Lebanon, New Market, and Springfield—see Roads, Turnpike.
Leslie, Preston H., added to County Court committee 104
Lewis and Mason counties, an act to run and re-mark the lines of 404, 437, 475, 515, 613
Lewis county, petition of citizens of 241, 262, 630, 667, 668
a bill to build a school house in 283, 342, 369, 425
Lewis, Hiram, and others, petition of 163, 217

Lexington and Danville Railroad—see Railroads.
Lexington and Frankfort Railroad—see Railroads.
Lexington, Harrodsburg, and Bowlinggreen Railroad—see Railroads.
Lexington Division, Sons of Temperance—see Division.
Lexington Insurance Company—see Insurance Company.
Lexington, Owingsville, and Big Sandy Railroad—see Railroads.
Lexington—see Cities.
Liberty and Hustonsville—see Roads, Turnpike.
Librarian, resolution requiring the to have gas works removed 949
Librarian, resolution requiring the to make out a catalogue of the books in the Library, &c. 360
Library, committee on the appointed 67
resolution instructing committee on 71, 75, 88, 96
report of in relation to Librarian 127
Library Company of Carrollton, a bill to charter 470, 493, 558, 603, 690 774
Licking Packet Company, act to charter the 282, 330, 383, 462, 520
Lien Law, uniform, a bill to establish for benefit of mechanics 104
Lincoln county, petition of citizens of 526, 667, 695, 749
Lindsay, Hayten, petition of 87, 141
a bill for benefit of 104
Lines between certain counties, a bill to amend the act to mark and define 62, 69, 81, 88, 97
a bill better to define the 78
Linn, A. S., leave of absence granted to 449, 670
Liquors, an act concerning sale of in Prestonsburg 706, 774
Lithographed Skeleton Map, resolution to procure one hundred and fifty copies of 81, 83, 88, 93
Little Kentucky River, a bill to amend act to prevent the destruction of fish in 873, 938, 948, 957
Little Sandy, a bill declaring navigable, &c. 247, 268, 322, 369, 424
Live Stock, a bill to punish unlawful injuries to 185
Livingston county, petition of citizens of 368, 442, 611
Lodge of Hunters of Nimrod, act to charter Mount Horeb 174
Lodges, Masonic, acts incorporating the following, viz:
Augusta, No. 80 641, 681, 866, 878, 958
Bedford, No. 158 286, 377, 414, 472
Blandville, No. 142 552, 602, 631, 691, 783
Bullitt, No. 155 181, 286, 378, 414, 472
Carrolton, No. 134 559
Crittenden, No. 150 57, 69, 87, 93, 105
Cumberland, No. 149 55, 76, 112, 137, 162
Curd, No. 175 55, 62, 87, 101, 205, 267, 320, 376
Daviess, No. 53 378
Germantown, No. 207 443, 483, 493, 515, 613
Grant, No. 85 551, 633, 706, 770, 950
Hancock No. 115 713, 867, 891, 952
Harvey Maguire, No. 209 250, 276, 341, 369, 425
Hickman, No. 131 436, 461, 527, 555, 692
Magnolia, No. 201 240, 250, 267, 438, 464, 516
Mayfield, No. 146 382, 404, 443, 483, 515, 608

Lodges, Masonic, acts incorporating the following, viz:
McKee, No. 144 120, 173, 217, 234, 257
Moore, No. 96 174, 184, 217, 234, 257
Mount Vernon, No. 14 476
Pulaski, No. 111 55, 62, 87, 101, 103
Salt River, No. 180 410, 437, 455, 516, 613
Spring Hill, No. 139 560, 713, 867, 890, 952
Tompkins, No. 178 120, 165, 204, 235, 258
Trimble, No. 158 55
Warren, No. 53 267, 402, 432, 516, 613
Warren, No. 110 174, 243, 267, 402, 432, 438, 463, 517
Wayne, No. 119 261, 330, 369, 427
Lodges of I. O. O. F. acts chartering the following, viz:
Boone, No. 1 85, 88, 112, 137, 162
Green River No. 54 435, 461, 527, 554, 691
Hebron, No. 19 323, 331, 378, 515, 613
Hobson, No. 63 481, 493, 552, 609, 693
Montgomery, No. 18 481, 512, 552, 609, 693
Phœnix, No. 28 392, 402, 431, 515, 613
Wildey, No. 40 424, 526, 554, 691
Loewenthall, Wm., petition of 103, 122
a bill for the benefit of 122, 128, 152
Logan county, a bill to authorize the people of to tax themselves for Railroad purposes 539, 633, 815, 878, 926, 955
a bill to authorize the re-districting of 935
petition of citizens of 574
remonstrance of citizens of 574
—see Election Precincts.
Logan County Court—see Courts, County.
Logan, Todd, and Christian Turnpike Road, an act for the benefit of subscribers to the 938, 948, 962
Governor's veto of above bill 962, 963
Logan, Todd, and Christian—see Roads, Turnpike.
Looman, Elijah H., a bill for the benefit of 61, 73, 91, 103
Looman, W. G. Andrews, a bill for the benefit of 61, 73, 122
Lottery Privileges, a bill to repeal all laws granting 736
Lottery tickets, a bill to repeal all laws authorizing the sale of 321, 379
a bill to impose a tax on the sale of 889, 904, 935
Loughborough, P. S., nominated for Commissioner of Code of Practice 102
elected 102
Louisa, Paintsville, and Prestonsburg—see Roads, Turnpike.
Louisa—see Towns.
Louisville, a bill to charter the city of 707, 718, 736, 750, 753, 754, 755, 756, 766, 868, 878, 947, 955
act authorizing to subscribe railroad stock 749, 770, 957
a bill to authorize the Mayor and Council of to fix times for the election of officers of, under new charter 873, 904, 927, 954
an act concerning licenses to coffee houses, &c., in 870, 957
—see Cities.

Louisville and Frankfort Railroad—see Railroads.
Louisville and Mississippi Railroad—see Railroads.
Louisville and Nashville Railroad—see Railroads.
Louisville and Sulphur Well—see Roads, Turnpike.
Louisville Homœopathic College—see College.
Louisville Paper Mill, a bill to charter 481, 493
Lovelaceville—see Towns.
Lowe, Nathan B., petition of 139
a bill for benefit of 157, 274, 320, 376
Lumber Merchants on Big Sandy, a bill to protect 270
Lunatic Asylum, annual report of the Directors of the 351
—see Legislative Documents.
resolution to appoint committee to examine 53, 59, 88, 96
committee to examine apppointed 126
Second Kentucky, report of the commissioners of the 240
—see Legislative Documents.
an act for the payment of the debts of the, and further to prosecute the work on the 536, 540, 750, 772, 816
Lutz, John, nominated for Commissioner of the Lunatic Asylum 280
elected 280
Lyon, John, a bill for benefit of 139, 165, 204, 235, 258
Madison county, petition of citizens of 358, 449, 508, 523, 668, 778
—see Magistrates' Districts.
Madisonville—see Towns.
Magistrates' and Constables' Districts, acts concerning in the following counties, viz:
Bath 476, 923, 924
Barrren 482, 483, 516, 613, 801, 868, 890, 952
Boone 527, 540, 796, 866, 909, 959
Breckinridge 802
Caldwell 527, 540, 567, 602, 802, 868, 892, 954
Carter 511, 705, 769, 884, 905, 934, 949, 961
Christian 426, 429, 539, 568, 575, 696, 801, 801
Crittenden 462, 527, 554, 691
Cumberland 545, 586, 614, 693
Fleming 545, 586, 614, 693, 783, 815, 869, 951
Fulton 255, 264, 274, 320, 376, 482, 484, 516, 612
Garrard 559, 802, 884, 904, 936, 955
Grant 392, 393, 422, 475, 801, 868
Green 462, 527, 554, 691
Hardin 610, 631, 634, 693
Harrison 680, 802
Henderson 802
Henry 348, 351, 370, 426
Hopkins 801
Jefferson 266, 266, 274, 281, 323
Kenton 799
Knox 477, 867, 892, 952

Magistrates' and Constables' Districts, acts concerning in the following counties, viz:
Laurel 348, 351, 370, 426, 428, 482, 520, 555, 691
Lewis 801, 868, 891, 952
Logan 426, 437, 463, 520
Madison 697, 781, 869, 951
Marion 801, 667, 892, 954
Mason 511, 691, 801, 867, 892, 953
Mercer 266, 266, 320, 378, 801, 867, 909, 916, 939, 946, 954, 962
Monroe 559, 801, 952
Muhlenburg 801, 868, 892, 954
Nelson 801, 868, 878, 908, 953
Nicholas 612, 681, 797, 802, 884, 904, 936, 955
Ohio 801, 867, 891, 952
Oldham 423, 430, 438, 464, 516
Owen 511, 802, 802, 892, 853
Pendleton 802, 868, 891, 936, 953, 955
Pike 937, 943, 948, 957
Pulaski 267, 281, 323, 431, 437, 463, 520, 527, 540, 796, 866, 893 959
Russell 796, 866, 908, 959
Scott 587, 602, 642, 670, 697, 801, 868, 878, 909, 953
Shelby 559, 801, 867, 892, 954
Simpson 539, 802
Spencer 801, 867, 909, 953
Taylor 904, 936, 955
Trigg 482, 483, 516, 610, 613
Trimble 802
Warren 782, 811, 812, 870, 958
Wayne 260
Woodford 802
Magnolia Lodge—see Lodge.
Manufacturing and Coal Company, a bill chartering the Western in Hancock county 471, 528, 601, 689, 774
Marine Insurance Company of Paducah—see Insurance Company.
Marion county, petition of citizens of 641
—see Election Precincts.
—see Mechanics.
Marion—see Towns.
Married women, a bill to amend act to protect the rights of 440, 476
Marshall, William C., appeared and took his seat 56
added to committee on Code of Practice 449
Marshal of Frankfort, a bill in relation to the 748, 865, 903, 927, 955
Marshal of Owenton, act in relation to 706, 774, 870, 958
Marshal of the State, resolution asking information from 85, 120 121, 141
Martin, H. W., a bill for the benefit of 899, 937, 947, 956
Martin, John, petition of 72, 79
a bill for the benefit of 80, 83, 93, 103
Martin, Thomas, a bill for benefit of 660, 670

Martin, Thomas, a bill for the benefit of 559, 660, 670
Mason county, petition of citizens of 382, 417, 417, 476, 492, 556, 557, 568, 611
Mason county—see Sheriffs.
Master Commissioners, a bill to repeal the law creating 74
a bill regulating allowances to, &c. 350, 367, 378, 528, 529, 530, 531, 532, 869, 951
Masters in Chancery, a bill regulating allowances to, &c. 350, 367, 378, 528, 529, 530, 531, 532, 717, 777
Mathews, C. M., petition of 704
Mayfield Lodge—see Lodge.
Mayfield Presbyterian Seminary—see Seminary.
Mayor of Maysville, act extending the powers of the 633, 705, 770, 950
Mayslick and Helena—see Roads, Turnpike.
Mayslick and Sardis—see Roads, Turnpike.
Mayslick—see Towns.
Maysville and Bull Creek Plank Road—see Roads, Plank.
Maysville and Lexington Railroad—see Railroads.
Maysville Deposit Bank—see Bank.
Maysville, Orangeburg, and Mt. Carmel—see Roads, Turnpike.
Maysville—see Cities and Towns.
Maxville Springs Company, a bill to incorporate the 83, 88, 112, 137, 162
McBride, James, act for benefit of 717, 775, 881, 907, 959
McCann, John L., a bill for the benefit of 471, 532, 633, 643, 867, 892, 953
petition of 417, 476
McCauley, Francis, a bill for the benefit of 424, 588, 903, 927, 955
McCauley, Wm., a bill for benefit of 470
McClure, Edward, petition of 72, 94
act for benefit of 532, 633, 643, 867, 892, 953
McClure, James, petition of 611
McClure, Joseph, petition of 172
McConnell, G. W. V., act for benefit of 884, 905, 936, 960
McConnell, James, an act for the benefit of 717, 776, 881, 907, 959
McCorkle, John M. S., nominated for Assistant Clerk 27
votes for 28, 28, 29, 30, 31
elected 31
thanks of House returned to 949
McCracken Circuit Court—see Courts, Circuit.
McCracken county, a bill concerning Seminary funds of 264, 393, 443, 463, 516
a bill concerning Internal Improvement fund of 567, 602, 632, 690, 783
McCracken county—see Mechanics.
McDaniel, Alexander, a bill for benefit of 72, 88, 111, 113
McElroy, Hiram, nominated for Speaker 5, 15
votes for 5, 6, 15, 16
withdrawn from nomination 7, 18
added to committee on Claims 781

McGuire, Riley, a bill for the benefit of 470, 522, 552, 603, 690, 773
McGuire, William, petition of 813
a bill for the benefit of 899, 938, 947, 956
McIlvain, John B., petition of 172
McKee, Alexander R., nominated for Assistant Clerk 27
votes for 27, 28, 29
McKee Lodge—see Lodge.
McKenzie Temple of Honor, petition of 381
a bill to charter 393, 443, 464, 517
McLean, John, petition of 868
McMahan, Perry, petition of 254
McMillan, James, petition of 143
an act for the benefit of 916, 939, 944
McMillan, Robert, petition of 436
Meade County Court—see Courts, County.
Meade county, petition of citizens of 280, 280
—see School Districts.
Mead, Henry J., a bill for the benefit of 126, 132, 143, 160, 193
Mechanics and furnishers of Muhlenburg county, a bill for the benefit of the 559
Mechanics' Lien Law, a bill to extend the, of Paducah, to McCracken county 62, 73, 78, 88
Mechanics, of McCracken county, act for benefit of 73, 78, 88, 96
of Muhlenburg, a bill for the benefit of the 713, 815, 869, 951
of Pulaski, petition of 172
of Pulaski, a bill for benefit of 713, 815, 891, 952
Medical Examiners, a bill to establish a State Board of 921, 922
Medico Chirurgical Society, a bill to incorporate the of the city of Louisville 435, 440, 551, 608, 692
Megowan, William S., nominated for assistant clerk 27
votes for 27, 28, 29, 30, 30
Milbourne, William, a bill for the benefit of 61, 104, 122, 159, 194, 238
Mellen, W., petition of 410
Melson, James M., petition of 473
Members of the General Assembly, resolution in relation to the pay of 232, 238
Mercer county, act allowing to subscribe railroad stock 816, 871, 908, 959
petition of citizens of 641
Metcalfe, James P., nominated for Speaker 11
votes for 11, 12
withdrawn 13
added to committee on Propositions and Grievances 248
excused 263
Methodist Episcopal Church—see Church.
Midway and South Elkhorn—see Roads, Turnpike.
Military affairs, committee on appointed 66
Military Institute—see Institute.
Military Monument, report of committee on the 175, 176
Militia, an act to provide for the organization of the 538, 602, 893, 942, 946, 961

Militia, resolution to print act for organizing the 945, 945, 948, 957
Miller, G. W., petition of 254, 293
Miller, James G., a bill for benefit of widow and heirs of 58, 373, 936, 937
Mining Company of Hancock county, a bill to charter the 471, 522, 528, 601
Ministers of the Gospel, a bill exempting from paying ferriages on the Sabbath 287, 380
resolution to invite the of Frankfort, to open House with prayer 32, 33
thanks of House returned to the 949
Mississippi River and Nashville Railroad—see Railroads.
Mitchell, Benjamin N., petition of 514
Mitchell, Henry G. and John, act for benefit of 58, 803, 903, 927, 955
Mitchell, Wm. D., a bill for the benefit of 57, 63, 75, 88, 96
Money, a bill for the appropriation of 909, 912, 913, 914, 915, 916, 934, 961
resolution to appoint a committee to bring in a bill for the appropriation of 750, 765
Monroe county, petition of citizens of 338, 612, 679
Monroe county—see School District.
Montgomery County Court—see Courts, County.
Montgomery county, petition of citizens of 574
remonstrance of citizens of 574
—see Sheriffs.
Montgomery Lodge, I. O. O. F.—see Lodge.
Monticello—see Towns.
Moody, Stephen, a bill for benefit of 95, 104, 136, 160, 197
Moore, Morton P., leave of absence granted to 679
Moore Lodge—see Lodge.
Moore, William R., a bill for the benefit of 174, 185, 204, 235, 258
Morgan county, petition of citizens of 285, 321, 430, 481, 695
Morganfield—see Towns.
Morgan, N. B., a bill for the benefit of 287
Morris, Charles G., petition of 116, 144
Morris, John, petition of 205, 255
Morris, William, a bill for the benefit of 251
Moscow Seminary—see Seminary.
Moscow—see Towns.
Mount Carmel—see Towns.
Mount Gilliad and Mount Carmel—see Roads, Turnpike.
Mount Sterling and Jeffersonville—see Roads, Turnpike.
Mount Sterling—see Towns.
Mount Tabor Church—see Church.
Mount Vernon Lodge—see Lodge.
Mount Vernon—see Towns.
Mount Zion Cumberland Presbyterian Church—see Church.
Muhlenburg county, petition of citizens of 377, 568, 588, 695, 879
—see Mechanics.
Mullins, Samuel G., an act for the benefit of 410, 437, 881, 908, 959
Mutual Insurance Company—see Insurance Company.

Narrows Bridge Company, an act to incorporate 505, 519, 528, 610, 696
National Guards of the city of Louisville, an act to incorporate the 668, 669, 670, 685, 769, 949
National salutes, resolution to fire on 8th Jan. and 22d Feb. 240, 242, 246, 258
Navigation of the Ohio River, preamble and resolutions in relation to the 357
Negotiable paper, a bill to regulate the time of paying 174, 185, 256, 257
Nelson Circuit Court—see Courts, Circuit.
Nelson County Court—see Courts, County.
Nelson county, petition of citizens of 358, 442, 514
—see School Districts.
Nelson, James J., petition of 523
Neptune Fire Engine and Hose Company, a bill to charter the 865, 938, 948, 957
New Castle and Campbellsburg—see Roads, Turnpike.
New Castle—see Towns.
New Hampshire, resolutions of the Convention of, in relation to the compromise measures 336, 337
New Liberty and Kentucky River—see Roads, Turnpike.
New Market—see Towns.
Newport and Licking—see Roads, Turnpike.
Newport Safety Fund Bank—see Bank.
Newport—see Towns and Cities.
Newtown and Leesburg Turnpike—see Roads, Turnpike.
Nicholas County Court—see Courts, County.
Nicholas county, petition of citizens of 514, 691, 695
—see Election Precincts.
—see Magistrates Districts.
Nicholas, Samuel S., nominated for Law Commissioner 102
elected 102
invited to a seat in the Hall 509
Nicholasville and Jessamine county—see Roads, Turnpike.
North Middletown, Mt. Sterling and Mt. Ida—see Roads, Turnpike.
Oakland Turnpike—see Roads, Turnpike.
Officers, a bill requiring to give official bonds, &c. 813, 903, 927, 955
act regulating proceedings against 916, 939, 946, 961
an act giving further time to, to collect taxes, precepts and fee bills 706, 774, 897, 946, 961
a bill to provide the mode of discharging the securities of 904, 905
Officers and Soldiers of the war of 1812, a bill for benefit of 55, 62
Officers, certain, of this commonwealth, a bill to fix the salaries of the 462, 678, 699, 700, 701, 702, 703, 719, 720, 721, 722, 723, 724, 725, 726, 727, 742, 743, 744, 745, 746, 747, 756, 757, 758, 759, 760, 761, 762, 763, 884, 909, 910, 911, 912, 933, 947, 956
Officers of the House, resolution to drop hindmost candidates for 21
Officers of this Government who draw their pay from the Treasury of the State, a bill to fix the salaries of the 169, 192

Officers, Public, resolution to fix a day to elect 171, 262, 275, 282
Offutt, Denton, petition of 87, 127
Ohio county, petition of citizens of 280
Ohio River, preamble and resolutions in relation to the navigation of the 357
Oldham county, petition of citizens of 112, 586, 748, 749
Oldham, Jesse E., petition of 417, 476
Owen and Scott County Line—see Roads, Turnpike.
Owensboro' Building Company, a bill to charter the 589, 781, 891, 953
Owen county, a bill to add the public ground at Lock No. 3 to 72
petition of School Trustees in 392
petition of citizens of 474, 523
—see School Districts.
—see Sheriffs.
Owen Division, Sons of Temperance—see Division.
Owens, Benjamin L, resolution to add to Lunatic Asylum Committee 138, 143, 161, 198
Owenton—see Towns.
Owsley County Court—see Courts, County.
Owsley county, an act for an election to fix the county seat of 370, 371, 418, 429, 447, 601
petition of citizens of 111, 403, 439
remonstrance of citizens of 154, 199
Paducah—see Towns.
Page, T. S., and A. G. Hodges, act for benefit of 171, 182, 195, 232, 238, 261
Paper Mill, of Louisville, a bill to charter 481, 552, 609, 693
Paris and Winchester—see Roads, Turnpike.
Paris, Winchester, and Kentucky River—see Roads, Turnpike.
Paris Savings Institution, act to charter the 169
Paris—see Towns.
Parks, John G., an act for the benefit of 461, 483, 493, 515, 613
Parochial School of the Hanging Fork Presbyterian Church, a bill to incorporate the 481, 660, 765, 869, 951
Patton, William S., petition of 748
Payne, Alfred, a bill for benefit of devisees of 899, 938, 947, 956
Payne, Samuel, petition of 715
Payne, Thomas Y., nominated for Speaker 9
votes for 10
withdrawn 10
Peddlers, an act to reduce into one the several acts in relation to and fixing tax to be paid by 816, 871, 908, 959
petitions in relation to granting licenses to 283, 383
from other States, a bill to guard against 61, 172
Penal Code, prepared by S. S. Nicholas 228
Penal Laws, a bill to amend the act to amend the 77, 136
Penal offenses, a bill the better to define and punish 349
resolution to refer bill in relation to, to Commissioners on Revised Statutes 672
Pendleton and Campbell counties, a bill to run and mark the line between 58

Pendleton county, petition of citizens of 778
Penitentiary, annual report of keeper of the 60
—see Legislative Documents.
committee on appointed 67
report of committee on the 588
a bill better to define the duties of the keeper of the 588, 814, 869, 951
annual report of visitors of the
—see Legislative Documents.
Pepper, Oscar, a bill to appoint commissioner to lay off Woodford county into districts 196, 204, 206, 234, 258
Percival, Orrin, petition of 442, 695
Perry and Clay counties, a bill to define the lines between 76, 104, 142, 160, 197
Perry county, petition of citizens of 76
Persons holding reversionary interest in slaves, a bill to protect rights of 449, 938, 947, 956
Petersburg and Burlington Turnpike—see Roads, Turnpike.
Phœnix Lodge, I. O. O. F.—see Lodge.
Physicians, petition of 382
Pickering, Malachi A., an act for the benefit of 538, 602, 632
Pike county, petition of citizens of 749
Pike, Floyd, Lawrence and Johnson, a bill better to define the lines of 88, 112, 136, 141, 142, 217
Pikeville Division Sons of Temperance—see Division.
Pike, W. W., petition of 630
Pinkerton, Dr. L. L., use of Hall allowed to 707
Plank Roads—see Roads, Plank.
Pleasaht Grove Meeting House, a bill to sell 748
Pleasant Run Turnpike—see Roads, Turnpike.
Police Court in Caseyville, act to establish 679, 681, 714, 770, 957
in Flemingsburg, act to establish 181, 243, 589, 705, 769, 949
in Hardinsburg, act to establish 112, 132, 251, 269
in Hardinsburg, act to repeal act to establish 341, 369, 425, 481
in Mt. Carmel, a bill to establish the 589, 705, 769, 949
in Mt. Vernon, a bill to repeal act to establish 633, 705, 770, 950
in Poplar Plains, a bill to establish 589, 705, 869, 951
Police Judges, acts, &c., concerning the following:
of Carrolton 705, 896, 951
of Clinton 62, 254, 269, 527, 603, 690, 717, 749, 769, 949, 950
of Hartford 245, 294, 378, 868, 871, 907, 960
of Hawesville 589, 705, 769, 949
of Hickman 423, 474, 514, 608, 609
of Lawrenceburg 873, 904, 926, 955
of Moscow 717, 749, 769, 949, 950
of Richmond 864, 903, 927, 955
of Salvisa 323, 331, 378, 515, 613
of Somerset 57, 94, 110, 136, 161, 197

Police Law of Bedford, a bill to amend the 240, 243
Poll tax, a bill to exempt persons over fifty years of age from 62, 82
Pond River, a bill to build a mill dam across 364, 402, 642, 770, 957
Poplar Plains—see Towns.
Portland Dry Dock and Insurance Company, a bill for the benefit of 321, 456, 526, 555, 692
Portland—see Towns.
Poston, A. H., petition of 348, 373, 374
a bill for benefit of 374, 432
Precincts for voting, a bill to divide the several counties into 54
Presbyterian Church at Mountsterling—see Church.
Presbyterian Church at Paint Lick—see Church.
Presiding Judges of the County Courts, a bill to regulate the jurisdiction of 83, 122
Prestonsburg—see Towns.
Preston, William, nominated for Speaker 7
votes for 8, 8, 10, 11, 11, 12, 13
withdrawn from nomination 14
added to committee on Claims 781
added to committee on Federal Relations 181
Prewitt, Alexander E., petition of 704
Price, William C., a bill for benefit of 283
Princeton—see Towns.
Private passways, act to repeal act concerning 943, 944, 946, 961
Privileges and Elections, committee on appointed 64
instructed 422
report of committee on 879, 880, 881
Proctor—see Towns.
Propositions and Grievances, committee on appointed 64
discharged from business 879
Publication of sales and judicial orders, a bill authorizing 199, 242
Public lands, resolutions in relation to granting of, by Congress, to build Railroads 166, 414, 415, 416
Public Offices, committee on appointed 67
report of committee on 926
Public Printer, a bill providing for the election of 545, 553, 554, 695, 769, 950
Public Printing, committee on appointed 67
instructed 141, 287, 467
report of committee on 522
Pulaski county, act in relation to Magistrates' districts in 246
a bill to abolish the Stray Pen in 95, 114, 142, 160, 197
petition of citizens of 427, 778
—see Mechanics.
Pulaski Lodge—see Lodge.
Pulaski Seminary, petition of Trustees of 126
—see Seminary.
Railroads, acts, &c., concerning the following, viz:
Bardstown and Danville 782, 946, 961
Big Sandy and Maysville 115, 132, 114, 201, 261
Big Sandy and Lexington 410, 437, 534, 610, 696

Railroads, acts, &c., concerning the following, viz:
Bowlinggreen and Tennessee 443, 473, 516, 552, 602, 613, 642, 670, 697
Covington and Lexington 86, 140, 173, 424, 512, 552, 609, 693, 781, 878, 893, 951, 952
Frankfort and Louisville 170, 180, 234, 262, 424, 478, 865, 934, 960
Georgetown and Louisville branch 240, 713, 815, 869, 951
Henderson and Nashville 245, 268, 392, 609, 706, 773, 775, 898
Lexington and Danville 80, 82, 85, 113, 141, 482, 484, 493, 515, 546, 558, 632, 749, 777
Lexington and Frankfort 163, 170, 180, 234, 262, 474, 630, 713, 867, 891, 954
Lexington, Harrodsburg and Bowlinggreen 816, 872, 908, 960
Lexington and Maysville 274, 330, 456, 461, 516, 613, 893, 935, 952, 939, 946, 962
Louisville and Frankfort 170, 180, 234, 262, 424, 478, 865, 934, 960
Louisville and Lexington 935, 939, 946, 962
Louisville and Mississippi 438, 483, 534, 691, 782
Louisville and Nashville 470, 474, 478, 553, 602, 634, 642, 714, 750, 777, 816, 908, 954, 958
Mississippi River and Nashville 816, 871, 908, 960
Shelby county 770, 949
Shelbyville and Eminence 85
resolutions in relation to granting lands by Congress to aid the States to build 166, 235
Raleigh—see Towns.
Rank, Madame, resolution to tender use of Hall to 134
Raymon, John, an act for the benefit of 204, 233, 707
Regimental Musters, a bill to change time of 58
Regiment, 36th, of Kentucky Militia, a bill for the benefit of the 78, 668, 717, 770, 950
57th, of Kentucky, act for the benefit of the 907, 959
Religion, committee on appointed 65
Remains of the Kentuckians who fell at Raisin, act to provide for the interment of the 438, 483, 492, 515, 613
Representation, a bill to apportion 690, 774
Resolutions, not to act on any other measure until New Constitution is in full operation 86
for the House to meet at 9 o'clock 129, 134, 250, 253
to devote evening sessions to Revised Statutes and the Code of Practice 250
to hold evening sessions 265
to appoint committee on constitutional bills 266
to call orders of the day at 11 o'clock 275
to act on general laws five days in the week, and devote Saturday to local and private business 332, 377
instructing committees not to report local and private laws 427

Resolution, to prevent members from speaking more than ten minutes 464
to prevent members from speaking more than twenty minutes 465, 466, 467
to prevent speaking 468
to amend rules in relation to pending amendments 468, 484, 581
to devote whole time to general laws 469
in relation to branching Court of Appeals 504, 505
to take recess on the 22d February 546
to authorize the Clerk to employ an Assistant to enroll the Code of Practice 764
to hold night sessions 803
to print Constitution with volume of acts 935
to print synopsis of acts 944
Resolutions, joint, authorizing publication and distribution of the general laws 943, 944, 946, 962
authorizing Second Auditor to issue warrants for pay of the officers of General Assembly 199, 204, 234, 262
authorizing purchase of Skeleton Maps 81, 83, 88, 93
directing examination into condition of Transylvania University 110, 132, 160, 193
directing the printing of act to amend the Militia Laws, &c. 945, 948, 957
Fixing day to elect public officers 171, 262, 275, 282
for printing Code of Practice 909, 944, 948, 957
in regard to law of Congress, granting bounty lands 119, 126, 161, 198
in relation to compromise measures 69, 71, 71, 75
in relation to funeral discourse on death of Col. R. M. Johnson 103, 131, 160, 193
in relation to action of Indiana Convention concerning the death of Col. R. M. Johnson 139, 152, 160, 193
instructing committee on Library to inquire if there is a librarian 71, 75, 88, 96
instructing committee on Banks 168, 183, 321, 378
inviting Rev. R. J. Breckinridge to deliver an address on Education and Common Schools 152, 153, 160, 193
requesting Governor to have national salute fired on 8th January and 22d February 240, 242, 246, 258
to add C. M. Ballard and others to committee on Blind Asylum 143, 234, 242, 321, 378
to add B. L. Owens to Lunatic Asylum committee 138, 141, 161, 198

Resolutions, joint, to appoint committee to visit Deaf and Dumb Asylum 56, 64, 74, 79, 92
to appoint committee to visit Blind Asylum 56, 59, 74, 88, 96
to appoint committee to visit Lunatic Asylum 53, 59, 88, 96
to appoint committee on removal of seat of government 158, 163, 170, 194, 238
to fix day to elect Commissioners on Code of Practice and Revised Statutes 54, 60, 63, 79, 93, 101
to postpone day to elect Commissioners on Code of Practice and Revised Statutes 81, 83, 88, 93
to authorize Secretary of State to employ clerks 944
for a recess of the General Assembly 139, 148, 149
to rescind resolution for a recess of the General Assembly 228
to exclude members of the Legislature from pay during the recess 232, 241, 270, 272, 273
Revenue, a bill to increase the 900, 927, 928, 929, 930, 931, 932, 933
a bill concerning the collection of the 264
an act in relation to the 816, 871, 907, 959
Revenue Laws, a bill to amend the by increasing tax on ten pin alleys 144, 159, 176, 194, 237
Revised Statutes, committee on appointed 68
instructed 119, 558
report of committee on (under instructions) as to powers of commissioners 155, 156
a bill of 348, 395, 520, 523, 567
an act adopting the 520, 523, 567, 582, 768, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 814, 926, 960
Rice, Charles, a bill for benefit of 74, 135, 154, 154, 204, 235, 257, 516, 612
act for benefit of 474, 483
Ridge, Mary, a bill for benefit of 435, 456, 526, 555, 692
Rights of married women, a bill further to protect 58, 440, 476
Riley, Thomas W. nominated for Speaker 5
votes for 6, 7, 7, 8, 9, 10, 11, 12, 13
withdrawn from nomination 14
Road, Salt River, act to place under control of Warren county court 83, 159
Roads in Boone, act concerning 868, 871, 926, 960
Roads in Perry and Clay counties, a bill to amend the laws in relation to the 58, 76, 82, 93, 103
Roads, Plank, Catlettsburg and Grayson 245, 283, 896, 904, 936, 955
Elkton and Tennessee Line 166
Franklin county 904, 905, 946, 961
Irvine and Richmond 270, 283, 293, 369, 425
Louisville and Shepherdsville 527, 539, 632, 749, 870, 958
Maysville and Bull Creek 150, 171, 194, 237

Roads, Plank, Mitchellsville and Dry Creek 91, 101, 127, 136
Newport and Licking 816, 871, 897, 960
Roads, State, from Grey's Ferry to Paducah, act to change 63, 74, 78, 91
from London, Williamsburg and Tennessee line, a bill to change 375, 393, 439, 520, 555, 692
from Canton to Hickman, act to change 275, 330, 384, 423, 463, 520, 575, 609, 693
in Caldwell, Livingston and McCracken, a bill to establish 899, 938, 947, 955
Roads, Turnpike, a bill to amend law authorizing construction of, of plank, stone and gravel 120
acts, &c., concerning the following, viz:
Augusta, Cynthiana and Georgetown 470, 633, 814, 892, 953
Bank Lick 357, 401, 439, 463, 520
Bedford and Trimble 251
Bradfordsville and Lebanon 426, 437, 511, 610, 696
Burlington and Dry Creek 294, 331, 384, 421, 475
Burlington and Florence 706, 775, 794, 957
Campbell 934, 939, 946, 961
Campbellsville and Columbia 264
Carrollton and Eagle Creek 268, 383, 443, 464, 517
Clark's Run and Salt River 232, 233, 238, 243, 262, 282, 321, 378
Clarksville and Hopkinsville 783, 815, 891, 952
Clear Creek 538, 602, 631, 691, 783
Covington and Lexington 364, 402, 439, 463, 520, 713, 800, 892, 953
Crab Orchard and Crews' Knob 441, 462, 520, 555, 692
Cynthiana and Millersburg 247, 254, 899, 916, 941, 947, 956
Danville and Hustonsville 587, 602, 632, 691, 783
Eagle Creek and New Liberty 283, 294, 368, 414, 473
Elizabethtown and Louisville 659
Elizaville and Helena 57, 76, 115, 161, 198
Farmers' 323, 331, 383, 421, 475
Flemingsburg and Upper Fox Springs 103, 132, 160, 193
Franklin county 904, 905, 946, 961
Frankfort and Lexington 174, 286, 368, 414, 472
Frankfort, Versailles, and Lexington 323, 331, 384, 422, 475
Georgetown and Dry Ridge 800, 892, 953
Georgetown and Lemon's Mill 247, 899, 938, 947, 955
Georgetown and Paris 123, 142, 161, 197
Germantown and Gault's Mill 534, 586, 690, 774
Germantown and Thompson's Ford 534, 705, 770, 950
Ghent and Eagle Creek 153, 182, 206, 261

Roads, Turnpike, acts, &c., concerning the following, viz:
Glasgow and Burksville 816, 896, 961
Glasgow and Scottsville 169, 205, 567, 603, 690, 774
Glencoe 180
Goose Creek 181, 696, 774, 870, 904, 936, 955, 958
Greysville and Elkton 166
Harrodsburg and Big Sandy 170
Iron Works 899, 937, 947, 956
Jefferson and Brownsboro' 57, 62, 81, 88, 96
Lebanon and Bradfordsville 426, 437, 511, 610, 696
Lebanon and Perryville 241, 439, 483, 521, 610, 696
Lebanon, New Market, and Springfield 659, 681, 898, 945, 962
Liberty and Hustonsville 250, 283, 322, 369, 425
Lincoln county 864, 903, 927, 954
Logan, Todd, and Christian 120, 631, 681, 777, 870, 874, 938, 948, 957, 962
Louisa, Paintsville, and Prestonsburg 74, 94, 116, 138, 161, 197
Louisville and Shepherdsville 527, 539, 632, 749, 777, 781, 795, 814, 817, 870, 958
Louisville and Sulphur Well 527, 539, 632, 749, 777, 781, 795, 814, 817, 870, 958
Mayslick and Helena 276, 383, 443, 463, 517
Mayslick and Sardis 251, 268, 322, 369, 425, 899, 937
Maysville and Orangeburg 534, 586, 660, 690, 773, 814 849, 951
Midway and South Elkhorn 247, 373, 438, 464, 517
Midway and Versailles 55, 62, 144, 145, 153, 194, 237
Montgomery county 348, 350, 351, 383, 421, 475
Mount Gillead and Mount Carmel 196, 267, 438, 464, 516
Mountsterling and Jeffersonville 471, 633, 706, 770, 950
New Castle and Campbellsburg 245
New Liberty and Kentucky River 283, 383, 438, 464, 517
Newport and Licking River 816, 871, 897, 960
Newtown and Leesburg 77, 79, 84, 88, 97, 287, 713, 815, 865, 892, 903, 927, 953, 954
Nicholasville and Jessamine county 245, 276, 322 368, 425
North Middletown, Mt. Sterling and Mt. Ida 559, 633, 706, 770, 950
Oakland 471, 512, 909
Owenton and Scott county line 471, 633, 781, 891, 953
Owingsville and Big Sandy 104, 251, 393, 423, 439, 520, 555, 691
Paris and Winchester 115, 123, 142, 161, 197

Roads, Turnpike, acts, &c., concerning the following, viz:
Paris, Winchester and Kentucky River 512, 552, 609, 692, 815, 891, 952
Petersburg and Burlington 471
Pleasant Run 275, 330, 338, 463, 521
Richmond and Irvine 270
Sardis 338, 534, 814, 892, 947, 953, 956
Shelbyville and Taylorsville 559, 602, 632, 690, 782
Springfield and Marion County 84, 86, 127, 136, 275, 330, 383, 515, 612
Springfield, Danville, and Perryville 60, 63, 78, 91
Springfield, Mackville, and Harrodsburg 461, 483, 511, 610, 696
Springdale and Tollsburg 697, 774, 890, 957
Stamping Ground and Frankfort 865, 903, 927, 955
Stanford and Lancaster 58, 536, 586, 690, 773
Stanford and Hustonville 245, 633, 781, 816, 869, 951
Taylor County 527, 540, 610, 696
Union and Beaver 541
Versailles and McCoun's Ferry 55, 73, 81
Versailles and Midway 55, 62, 144, 145, 153, 194, 237
Versailles and Nicholasville 58, 76, 87, 88, 93, 105
Versailles and Shryock's Ferry 634, 771, 815, 892, 953
Warsaw 261, 268, 320, 378
Wilderness 559, 545, 714, 773, 904, 904, 936, 955
Winchester and Kentucky River 574, 614, 697, 705, 769, 950
Winchester, Kiddville, and Mt. Sterling 714, 867, 891, 952
Robinson, Rev. Stuart, resolution to appoint committee to ask for copy of funeral sermon of, over remains of Col. Johnson, for publication 95, 103, 132, 160, 193
committee to wait on appointed 132
report of committee 165
resolution to print 2,000 copies of sermon of and funeral speeches, &c., on death of Col. Johnson 165
[for sermon, &c., see Legislative Documents.]
Rockcastle county, petition of citizens of 508, 523
—see Sheriffs.
Rockcastle Seminary—see Seminary.
Rodman's Mill, Perryville, and Lebanon—see Roads, Turnpike.
Rogers, William, petition of 404
Ronner, A., petition of 437
Rules of last session adopted 31
committee on appointed 32, 54
committee on instructed 53
report of committee on 60

Russellville Division, Sons of Temperance—see Division.
Russellville—see Towns.
Safety Fund Bank of Newport—see Bank.
Salaries of officers, a bill to fix the 462, 678, 699, 700, 701, 702, 703, 719, 720, 721, 722, 723, 724, 725, 726, 727, 742, 743, 744, 745, 746, 747, 756, 757, 758, 759, 760, 761, 762, 763, 884, 909, 910, 911, 912, 933, 947, 956
of Appellate and Circuit Judges, a bill to regulate 55
of the County Judges, a bill to fix 55, 89, 123
Salt, a bill concerning the landing and weighing of 83, 263
Salt River Lodge—see Lodge.
Salt River Road—see Road.
Salvisa—see Towns.
Sanders, Culvin, nominated for Sergeant-at-arms 20
votes for 20
Sandford, Wm. H., petition of 392
Sandford, Wm. J., act for benefit of 253, 260, 281, 323
Sardis Turnpike—see Roads, Turnpike.
Savings Bank of Breckinridge—see Bank.
Savings Bank of Covington—see Bank.
Savings Bank of Fleming—see Bank.
Savings Bank of Kentucky—see Bank.
School Commissioners, a bill to provide for the payment of the unpaid orders of the 765, 776, 875, 876, 877, 908, 959
School, Common, Anderson, a bill for benefit of 522
in Graves, act for benefit of 233, 249, 281, 323
School Districts, a bill for the benefit of certain 364, 402, 417, 418, 601
acts, &c., concerning in the following counties, viz:
Adair 244
Bath 239, 422, 461, 473, 515, 608, 901
Breckinridge 240, 423, 439, 552, 603, 690, 774
Casey 250, 423, 461, 473, 515, 608
Clay 169, 245, 422, 461, 473, 515, 608
Cumberland 801, 868, 878, 899, 909, 938, 948, 954, 956
Fayette 899, 938, 948, 956
Floyd 245, 899, 938, 948, 956
Fulton 322, 423, 461, 473, 515, 608
Graves 163, 422, 461, 473, 515, 608
Greenup 867, 892, 954
Harlan 163, 435
Hart 239, 422, 461, 473, 515, 608
Henderson 559, 660, 869, 951
Henry 166, 422, 461, 473, 515, 608, 660, 869, 951
Jefferson 482, 486, 936
Johnson 239, 422, 461, 473, 515, 608
Kenton 74, 127, 150, 159, 194, 237, 765, 775, 870, 958
Knox 867, 892, 954
Lawrence 239, 393, 461, 492, 517
Meade 614, 775, 777, 867, 892, 954

School Di stricts, acts, &c., concerning in the following counties, viz :
Monroe 471, 660, 869, 951
Montgomery 139, 158
Nelson 867, 892, 954
Oldham 471
Owen 139, 181, 276, 323, 369, 425, 461, 473, 515, 574, 608
Pike 749
Pulaski 471
Todd 86, 94, 112, 137, 162
Washington 251, 368, 422, 461, 472, 473, 515, 608, 869, 951
School Fund, an act providing for the payment of the interest on the 434, 435, 436, 526, 582, 583, 584, 610, 764, 817, 859, 860
Governor's veto of bill for payment of interest on the 817, 858, 860
resolutions in relation to interest on the 209, 414, 429, 434
a bill for the distribution and re-investment of the income of the 507, 667, 672, 682, 683, 684
School of Dental Surgery, a bill to amend the charter of the 864
Scofield, Henry, petition of 704
Scott, Allen C., a bill for the benefit of 55, 243, 267, 320, 376
Scott county, petition of citizens of 247, 255, 481, 538, 551, 601, 611, 749, 783, 813
—see Magistrates' Districts.
Scott, Samuel, an act for the benefit of the widow and heirs of 426, 429, 476, 515, 613
Seat of Government, resolution to appoint a committee to inquire into the expediency of removing the 158, 163, 170, 194, 238
committee on removal of appointed 180
resolution to instruct committee 802
report of committee on removal of 799, 800, 802
Second Auditor, annual report of the 248
—see Legislative Documents.
partial report of the [see Legis. Documents.] 60
resolutions calling on the for information 105, 114, 284, 349
response of the to resolutions [see Legis. Doc'ts.] 121, 122, 319, 353
a bill to abolish the office of 120, 522, 545, 684, 685, 686, 687, 688, 718
resolution to authorize to issue warrants to pay Legislative officers 199, 204, 234, 262
Secretary of State, resolution calling on the for information 422
response of 428, 448
a bill to prescribe the duties of 763, 764, 868, 884
resolution to authorize the to employ clerks 945

Securities of officers, a bill to provide the mode of discharging 904, 905, 935, 960
Selby, Benjamin, nominated for Librarian 277
votes for 278, 279
joint votes for 278, 280
elected Librarian 280
Semintary lands, in Laurel, a bill to amend the laws relating to the 120
in Lewis, a bill in relation to 287, 382, 410, 425
Seminary, Columbus Masonic, a bill to charter 269, 282, 567, 603, 690, 773
Dallasburg, a bill to charter the 899, 938, 948, 957
Estill, a bill for benefit of the 205, 357, 369, 425
Glasgow, a bill to charter 470
Laurel County, a bill for benefit of 218, 261, 320, 376
Mayfield Presbyterial, act to charter 431, 437, 455, 610, 696
Morgantown, act to amend charter of 868, 871, 908, 959
Moscow, a bill for benefit of 470, 476, 552, 609, 693
Pulaski County, a bill for benefit of the 150, 167, 194, 237
Rockcastle, act to appoint Trustees of 294, 331, 395, 463, 521
Waidsboro' and Marshall County, act to charter 736, 775, 866, 878, 958
Shawk, Abel, a bill to authorize, and others, to finish Locks and Dams, Nos. 1 and 2, on Licking River 269
Sheep, a bill to prevent the destruction of by dogs 270
Shelby County Court—see Courts, County.
Shelby county, petition of citizens of 704, 715, 778
—see Election Precincts.
—see Magistrates Districts.
Shelby Railroad—see Railroad.
Shelbyville and Taylorsville—see Roads, Turnpike.
Shelbyville—see Towns.
Shelton, Robinson, petition of 868
Shepherd, Isaac N., nominated for Door-keeper 21
votes for 22, 23, 24, 25
Sheriffs, a bill to provide for the qualification of 120, 157
a bill to repeal laws allowing pay to for *ex-officio* services 74 863, 864, 903, 927, 954
a bill to provide for the collection of the Revenue by the elected in May 1851 714, 867, 891, 952
a bill to regulate advertisements of &c. 58
a bill to regulate the commissions of on taxes imposed by County Courts, &c. 424, 432, 455, 551, 608, 692
acts, &c., for benefit of in the following counties, viz:
of Anderson 270, 286, 368, 414, 473
of Bath 323, 331, 380, 422, 475
of Boone 281, 323, 553, 602, 631, 690, 783
of Bullitt 287, 322, 382, 509, 554, 692
of Caldwell 58, 205, 253, 319, 376
of Casey 250, 250, 269, 269, 294, 322, 382
of Cumberland 71, 104, 147, 161, 197
of Daviess 241, 243, 244, 321, 432, 443, 463, 517

Sheriffs, acts, &c., for benefit of in the following counties, viz:
of Grant 245, 269, 282, 322, 369, 425
of Hopkins 270, 380, 509, 554, 692
of Johnson 270
of Kenton 240, 348, 351, 380, 422, 475
of Knox 348, 351, 380, 422, 475, 816, 871, 907, 959
of Laurel 937, 943, 948, 956
of Lawrence 559, 602, 632, 690, 782
of Lewis 342, 350, 381, 382, 421, 475, 559, 633, 706, 770, 950
of Logan 380, 509, 554, 692
of Mason 507, 633, 706, 770, 950
of Monroe 443, 463, 517
of Montgomery 204, 233, 281, 323
of Morgan 249, 267, 320, 376
of Oldham 283
of Owen 283, 432, 443, 463, 517
of Owsley 245, 251
of Rockcastle 348, 351, 380, 421, 475, 641, 697, 815, 869, 951
of Taylor 261, 330, 380, 422, 475
of Whitley 642, 697, 815, 870, 951
of Woodford 559
Simons, Wm., petition of 363, 431
Simpson County Court—see Courts, County.
Simpson Division, Sons of Temperance—see Division.
Sinking Fund, annual report of the Commissioners of the 273
—see Legislative Documents.
a bill to increase the resources of the 715
resolution requiring the Commissioners of the to pay interest on School Fund 926, 939, 940, 941, 946
committee on the appointed 66
report of committee on the 924, 925
Slaves, a bill to provide the mode of prosecuting, for felony 801, 904
hereafter emancipated, a bill to prevent from remaining in the State 54, 69, 899, 939, 942, 947, 955
in reversion or remainder, a bill to protect the rights of those holding interest in 865, 938, 947, 956
Sligo Division, Sons of Temperance—see Division.
Slusher, Wm., a bill for the benefit of 58, 76, 94, 115, 137, 162
Small, Braxton, a bill for benefit of 322
Smith, A., petition of 538
a bill for benefit of 705, 769, 950
Smith, D. F., petition of 505
Smith, E., and others, petition of 526
Smith, Ephraim, an act for the benefit of 204, 233, 249, 261, 320, 378
Smith, V. T., a bill for the benefit of 251, 276, 385, 386
Governor's veto of bill for benefit of 384
Smith, William C., a bill for the benefit of 471
Smith, William M., petition of 164, 172
Smith, William, of Laurel county, act for benefit of 706, 775, 870, 958
Snyder, Henry Clay, a bill for benefit of 269
Soldiers of the late war with England, a bill for benefit of 62, 93, 103

Soldiers of the late war with England, a bill to amend act for benefit of 206, 243, 267, 320, 376
Somerset R. A. Chapter, No. 25, a bill to charter 55, 62, 87, 101, 205
Southern Bank of Kentucky—see Bank.
Speaker, election of 5 to 20
resolution to drop hindmost candidate for 12, 13, 17
Specific taxation, a bill to repeal the laws of 144
Spencer county, petition of citizens of 381, 667
Spencer County Court—see Courts, County.
Springdale and Tollsburg—see Roads, Turnpike.
Springfield and Marion county—see Roads, Turnpike.
Springfield, Perryville, and Lebanon—see Roads, Turnpike.
Springfield, Danville and Perryville—see Roads, Turnpike.
Springfield, Mackville and Harrodsburg—see Roads, Turnpike.
Springfield—see Towns.
Stanford and Hustonsville—see Roads, Turnpike.
Stanford and Lancaster—see Roads, Turnpike.
Stapp, W. W., allowed seat as Reporter 32
State bonds and coupons that are lost, a bill to provide for the payment of 505, 519, 536, 539
Statutes, a bill revising the 348, 520, 523, 567
an act to revise the 567, 582, 768, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 814
Steamboats, a bill giving to officers, crews, mechanics, &c., a lien on 251, 264, 348, 360, 443, 463, 517
Stephens, Hial, petition of 348, 374
a bill for benefit of 374, 432, 679
Stephens, Lucretia, act for benefit of 378, 402, 432, 463, 520
Stevenson, Robert, act for benefit of 179, 182, 889, 923, 946, 961
Stivers, George, a bill for benefit of 170, 245, 255, 588, 705, 769, 949
Stockton, Geo. I., act for benefit of 816, 871, 908, 961
Stokes, E., petition of 163
Stone, James E., a bill for the benefit of 288, 364, 383, 482, 514, 608
Storms, E. L. D., petition of 641
Stout, John B., petition of 586
Strader, Lewis, petition of 748
Strong, Thomas, petition of 630
Strother, R. F., petition of 262, 281, 282
St. Magdalen's, a bill to incorporate the Literary Institution of 505, 522, 558
Sublett, James H., petition of 57, 82
Superintendent of Public Instruction, annual report of the —see Legislative Documents.
communication from the 53, 239
resolution authorizing printing of report of during the the recess of the General Assembly 217
act requiring the, to keep office at seat of government 587, 602, 936

Survey, Geological—see Geological Survey.
Synopsis of acts, resolution to print 944
Talbott, A. G., appointed on Internal Improvement committee 75
added to committee on Federal Relations 173
leave of absence granted to 476
Talbott, A. H., resolution to add to committee to visit Blind Asylum 161
Tate, Charles P., a bill for benefit of 250, 269, 294, 322, 382, 505, 515, 608
Tax for Common School purposes, a bill to submit an additional to the people 58
Tax payers, a bill for the benefit of 61, 116, 275
Taylor county—see Sheriffs.
Taylor County Turnpike—see Roads, Turnpike.
Temple of Honor, Grand, of Kentucky, act to charter the 505, 519, 528, 610, 697
McKenzie, act to incorporate the 381, 393, 443, 464, 517
Ten Pin Alleys, a bill to amend the laws in relation to 456
Thanksgiving day, resolution to take recess for 126
Three Mile Creek, act repealing act declaring navigable 244, 249, 267, 320, 376, 660, 706, 770, 950
Thomas, Benjamin F., act for the benefit of the heirs of 601, 602, 882, 885
Thomas, Benjamin S., act for his benefit 937, 943, 948, 956
Thomas, E. P., petition of, and others 557
Thompson, John, petition of 72, 81
Thornton, Penelope, act for benefit of children and heirs of 282, 330, 378, 516, 613
Tinsley, Samuel, petition of 205, 268
Tippling, a bill to amend the laws against 62
Tippling and tippling houses, a bill to regulate, &c. 61, 76, 164, 165
Todd county—see School Districts.
Todd, John F., nominated for Speaker 5
votes for 6, 7, 7, 8, 9
withdrawn from nomination 10
excused from serving on Internal Improvement committee 73
resolution to add to Bank committee 158, 167
resolutions in relation to death of 566, 567
Todd, Thomas, leave of absence granted to 772
Tompkins Lodge—see Lodge.
Tolls on Turnpike Roads in Kenton, a bill to regulate 276, 393, 438, 483, 515, 608
in Mason, a bill to regulate 276, 393, 461, 514, 608

Towns, acts, &c., concerning the following, viz:
Beatty 432, 705, 769, 950
Bedford 240, 243, 267, 320, 376
Bloomfield 103, 123, 167, 194, 237
Boston 706, 775, 870, 958

Towns, acts, &c., concerning the following, viz:
Bowlinggreen 185, 243, 267, 320, 321, 377, 472, 476, 705, 769, 950
Brandenburg 206
Burksville 274, 294, 364, 414, 473
Cadiz 321, 432, 474, 514, 608, 614, 705, 769, 950
Campbellsville 736, 775, 866, 908, 960
Carrollton 470, 528, 705, 869, 951
Caseyville 679, 681, 714, 770, 957
Centreville 123
Clementsburg 251, 269, 341, 369, 425
Clinton 254, 269, 294, 424, 436, 475, 527, 603, 690, 695, 717, 749, 769, 949, 950
Colemansville 508
Columbus 254
Crab Orchard 884, 904, 905, 937, 946, 961
Crittenden 251, 264, 382, 438, 442, 505, 750, 776, 814, 908, 960
Cynthiana 76, 104, 136, 160, 174, 185, 197, 234, 258, 551
Danville 813
East Maysville 143, 150, 348, 456, 526, 555, 692
Falmouth 659
Flemingsburg 104, 116, 122, 157, 160, 181, 197, 243, 267, 320, 376, 381, 589, 701, 769, 949
Foster 611
Georgetown 679, 681, 866, 878, 884, 885, 945, 962
Germantown 519
Ghent 153, 182, 206, 261
Glasgow 112, 132, 171, 172, 205, 232, 234, 262, 337, 382, 402, 430, 463, 476, 520, 552, 609, 693
Hardinsburg 112, 132, 306, 251, 261, 269, 341, 369, 425, 482, 632, 749, 770, 957
Hardinsville 95, 165, 204, 235, 258
Harrodsburg 342, 350, 379, 586, 610, 696
Hartford 245, 294, 378, 414, 472, 868, 871, 907, 960
Hawesville 559, 705, 769, 949
Hickman 423, 474, 514, 608, 609
Hillsboro' 667, 714, 815, 892, 953
Hopkinsville 424
Independence 462, 527, 555, 692, 771, 867, 891, 952
Irvine 153, 424, 432
La Grange 471
Lancaster 322, 440, 455, 534, 539, 800, 878, 909, 953
Independence 765
Lawrenceburg 86, 286, 404, 414, 473, 873, 904, 926, 955
Louisa 123, 198, 235, 258
Lovelaceville 695, 771, 867, 892, 953
Madisonville 436, 713, 782, 869, 951
Mayslick 248, 264, 293, 369, 425, 630, 865, 938, 948, 956
Monticello 180, 196, 246, 319, 376
Morganfield 123
Moscow 470, 470, 476, 512, 705, 717, 749, 769, 770, 949, 950
Mt. Carmel 377

Towns, acts, &c., concerning the following, viz:
Mt. Sterling 471, 512, 575, 603, 670, 774
Mt. Vernon 633, 705, 770, 950
Neetsville 481, 864, 938, 947, 956
New Castle 245, 589, 869, 951
New Market 240, 250, 267, 320, 376
519
Owensboro'
Owenton 559, 633, 706, 706, 770, 774, 870, 950, 958
Paducah 140, 169, 180, 348, 373, 461, 443, 483, 515, 521,
610, 660, 695, 696, 769, 951
Paintsville 154
Paris 247, 263, 282, 286, 320, 376, 795, 865, 938, 948, 956
Poplar Plains 470, 589, 705, 869, 951
Portland 267, 330, 482, 483, 631, 690, 715, 736, 775, 782, 870,
958
Prestonsburg 103, 123, 706, 774, 896
Princeton 713, 867, 892, 952
Proctor 115, 135, 154, 194, 237, 442
Raleigh 641, 713, 867, 892, 952
Richmond, 864, 903, 927, 955
Russellville 368, 482, 575, 608, 692, 706, 674, 870, 958
Salvisa 323, 331, 378, 515, 613
Shelbyville 322, 402, 403, 432, 575, 609, 678, 681, 693, 868, 901,
934, 943, 948, 956, 960
Shepherdsville 538
Somerset 57, 94, 110, 136
Springfield 282, 330, 384, 462, 520
Stanford 193, 193, 250
Versailles 884, 905, 934, 960
Waidsboro' 321, 373, 443, 483, 515, 607
Washington 87, 116, 142, 160, 170, 197
West Liberty 185, 511, 705, 770, 950
West Point 864, 905, 934, 960
Williamsburg 169, 508, 528, 558, 609, 692
Winchester 470, 481, 512, 528, 551, 552, 608, 609, 693, 697,
705, 769, 867, 891, 939, 949, 952, 961
Woodsonville 288, 589, 705, 769, 950
Woodville 713, 867, 891, 954
Transylvania University, resolution to examine 110, 132, 160, 193
committee to examine appointed 126, 132,
160, 193
a bill to re-organize, &c. 174, 218
Treasurer of the State, annual report of the 94
—see Legislative Documents.
communication from the 509
Treasury, resolution in relation to defalcation in the 505, 506
an act to provide means to meet the casual deficit in
the 933, 941, 942, 947, 955
Trigg county, petition of citizens of 87, 518
—see Election Precincts.
Trimble county, petition of citizens of 748, 778

Trimble, John, a bill for the benefit of 57
Triplett, Thornton, a bill for benefit of 80, 83, 87, 93, 105
Turner, Squire, nominated for Law Commissioner 102
elected 109
invited to a seat in the hall 509
Turnpike Roads, acts, &c., concerning the following, viz:
Augusta, Cynthiana and Georgetown 470, 633, 814, 892, 953
Bank Lick 357, 401, 439, 463, 520
Bedford and Trimble 251
Bradfordsville and Lebanon 426, 437, 511, 610, 696
Burlington and Dry Creek 294, 331, 384, 421, 475
Burlington and Florence 706, 775, 794, 957
Campbell 934, 939, 946, 961
Campbellsville and Columbia 264
Carrollton and Eagle Creek 268, 383, 443, 464, 517
Clark's Run and Salt River 232, 233, 238, 243, 262, 282, 321, 378
Clarksville and Hopkinsville 783, 815, 891, 952
Clear Creek 538, 602, 631, 691, 783
Covington and Lexington 364, 402, 439, 463, 520, 713, 800, 892, 953
Crab Orchard and Crews' Knob 441, 462, 520, 555, 692
Cynthiana and Millersburg 247, 254, 899, 916, 941, 947, 956
Danville and Hustonsville 587, 602, 632, 691, 783
Eagle Creek and New Liberty 283, 294, 368, 414, 473
Elizabethtown and Louisville 659
Elizaville and Helena 57, 76, 115, 161, 198
Farmers' 323, 331, 383, 421, 475
Flemingsburg and Upper Fox Springs 103, 132, 160, 193
Franklin county 904, 905, 946, 961
Frankfort and Lexington 174, 286, 368, 414, 472
Frankfort, Versailles, and Lexington 323, 331, 384, 422, 475
Georgetown and Dry Ridge 800, 892, 953
Georgetown and Lemon's Mill 247, 899, 938, 947, 955
Georgetown and Paris 123, 142, 161, 197
Germantown and Gault's Mill 534, 586, 690, 774
Germantown and Thompson's Ford 534, 705, 770, 950
Ghent and Eagle Creek 153, 182, 206, 261
Glasgow and Burksville 816, 896, 961
Glasgow and Scottsville 169, 205, 567, 603, 690, 774
Glencoe 180
Goose Creek 181, 696, 774, 870, 904, 936, 955, 958
Greysville and Elkton 166
Harrodsburg and Big Sandy 170

Turnpike Roads, acts, &c., concerning the following, viz:
Iron Works 899, 937, 947, 956
Jefferson and Brownsboro' 57, 62, 81, 88, 96
Lebanon and Bradfordsville 426, 437, 511, 610, 696
Lebanon and Perryville 241, 439, 483, 521, 610, 696
Lebanon, New Market, and Springfield 659, 681, 898, 945, 962
Liberty and Hustonsville 250, 283, 322, 369, 425
Lincoln county 864, 903, 927, 954
Logan, Todd, and Christian 120, 631, 681, 777, 870, 874, 938, 948, 957, 962
Louisa, Paintsville, and Prestonsburg 74, 94, 116, 138, 161, 197
Louisville and Shepherdsville 527, 539, 632, 749, 777, 781, 795, 814, 817, 870, 958
Louisville and Sulphur Well 527, 539, 632, 749, 777, 781, 795, 814, 817, 870, 958
Mayslick and Helena 276, 383, 443, 463, 517
Mayslick and Sardis 251, 268, 322, 369, 425, 899, 937
Maysville and Orangeburg 534, 586, 660, 690, 773, 814 849, 951
Midway and South Elkhorn 247, 373, 438, 464, 517
Midway and Versailles 55, 62, 144, 145, 153, 194, 237
Montgomery county 348, 350, 351, 383, 421, 475
Mount Gilead and Mount Carmel 196, 267, 438, 464, 516
Mountsterling and Jeffersonville 471, 633, 706, 770, 950
New Castle and Campbellsburg 245
New Liberty and Kentucky River 283, 383, 438, 464, 517
Newport and Licking River 816, 871, 897, 960
Newtown and Leesburg 77, 79, 84, 88, 97, 287, 713, 815, 865, 892, 903, 927, 953, 954
Nicholasville and Jessamine county 245, 276, 322 368, 425
North Middletown, Mt. Sterling and Mt. Ida 559, 633, 706, 770, 950
Oakland 471, 512, 909
Owenton and Scott county line 471, 633, 781, 891, 953
Owingsville and Big Sandy 104, 251, 393, 423, 439, 520, 555, 691
Paris and Winchester 115, 123, 142, 161, 197
Paris, Winchester and Kentucky River 512, 552, 609, 692, 815, 891, 952
Petersburg and Burlington 471
Pleasant Run 275, 330, 338, 463, 521
Richmond and Irvine 270
Sardis 338, 534, 814, 892, 947, 953, 956

Turnpike, Roads acts, &c., concerning the following, viz:
Shelbyville and Taylorsville 559, 602, 632, 690, 782
Springfield and Marion County 84, 86, 127, 136, 275, 330, 383, 515, 612
Springfield, Danville, and Perryville 60, 63, 78, 91
Springfield, Mackville, and Harrodsburg 461, 483, 511, 610, 696
Springdale and Tollsburg 697, 774, 890, 957
Stamping Ground and Frankfort 865, 903, 927, 955
Stanford and Lancaster 58, 536, 586, 690, 773
Stanford and Hustonville 245, 633, 781, 816, 869, 951
Taylor County 527, 540, 610, 696
Union and Beaver 541
Versailles and McCoun's Ferry 55, 73, 81
Versailles and Midway 55, 62, 144, 145, 153, 194, 237
Versailles and Nicholasville 58, 76, 87, 88, 93, 105
Versailles and Shryock's Ferry 634, 771, 815, 892, 953
Warsaw 261, 268, 320, 378
Wilderness 559, 545, 714, 773, 904, 904, 936, 955
Winchester and Kentucky River 574, 614, 697, 705, 769, 950
Winchester, Kiddville, and Mt. Sterling 714, 867, 891, 952

Union and Beaver Turnpike—see Roads, Turnpike.
Union College—see College.
Union County Court—see Courts, County.
Union county, a bill to establish a County Court for 676
Union Hotel Company of Louisville—see Hotel Company.
Union Baptist Church—see Church.
University of Louisville, petition of Trustees of 492
University of Paducah, a bill to charter 470, 522, 586, 690, 774
Unlawful fishing in Licking river, a bill to prevent 82, 93, 103
Vanarsdale, Isom L., petition of 392, 428
Vance, Joseph A., a bill for benefit of 342, 350, 587, 691, 783
Varnon, Thomas W., leave of absence granted to 778
Versailles and McCoun's Ferry—see Roads, Turnpike.
Versailles and Midway—see Roads, Turnpike.
Versailles and Nicholasville—see Roads, Turnpike.
Versailles and Shryock's Ferry—see Roads, Turnpike.
Versailles Joint Stock Building Company, a bill to charter the 559, 633, 706, 770, 950

Versailles—see Towns.

Waidsboro' and Marshall County Seminary—see Seminary.
Waidsboro'—see Towns.
Walker, Robert W., petition of 139
a bill for benefit of 165, 179, 194, 237
Wallingford, Joseph, petition of 143
Ward, William T., nominated for Speaker 15
votes for 15, 16, 18
added to committee on Code of Practice 180

Ware, Thomas, nominated for assistant clerk 27
votes for 28
Warren County Board of Education, a bill to incorporate the 62
Warren County Court—see Courts, County.
Warren Lodge—see Lodge.
Warsaw Turnpike—see Roads, Turnpike.
Washington Circuit Court—see Courts, Circuit.
Washington county, petition of citizens of 180
—see Mechanics.
—see School Districts.
Washington—see Towns.
Wayne county, an act in relation to Magistrates' Districts in 246, 523
petition of citizens of 449, 704
Wayne Lodge—see Lodge.
Ways and Means, committee on appointed 65
instructed 80, 80
discharged from business 943
Webber, A., petition of 84
Wells, Elisha F., leave of absence granted to 586
West, Joshua, petition of 139
a bill for the benefit of 157, 274, 320, 376
West Liberty—see Towns.
Whalan, John B., a bill for the benefit of 342, 350, 363, 431, 516, 613
Wheat, Vernon A., nominated for Doorkeeper 21
votes for 22, 22, 23, 24
Whippoorwill, bill to repeal act declaring navigable 139, 157, 246, 319, 376, 671
White, Jacob S., a bill for the benefit of 123, 142, 161, 197
White, James, a bill for the benefit of 507, 509, 510, 607
White, N., petition of 557
Whitley county, a bill to give to citizens of further time to return 560, 614, 659,
plats and certificates of survey 671, 690, 773
petition of citizens of 519
petition of School Commissioners of 611
—see School Districts.
—see Sheriffs.
Wickliffe, Charles A., nominated for Law Commissioner 102
elected 102
invited to a seat in the Hall 509
Wickliffe, Hon. Robert, use of Hall tendered to 138
Widows and Orphans, a bill to secure the money and property of 57
Wilderness Turnpike, a bill to regulate the tolls on 61
—see Roads, Turnpike.
Wildey Lodge, I. O. O. F.—see Lodge.
Williamsburg—see Towns.
Williams, Eliza Ann, petition of 163, 250
Williams, George W., of Bourbon, nominated for Speaker 5
votes for 6, 7, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 18, 19
leave of absence granted to 460, 772

Williams, Marcus L., appeared and took his seat 193
Williams, William, act for benefit of 126, 132, 160, 193
Wilson, James R., petition of 765
Wilson, John C., petition of 103, 157
Wilson, J. Wood, petition of 442
Winchester and Kentucky River—see Roads, Turnpike.
Winchester, Kiddville and Mt. Sterling—see Roads, Turnpike.
Winchester—see Towns.
Wintersmith, Richard C., nominated for Treasurer 277
elected Treasurer 277
communication from 509
Woodcock, William, a bill for the benefit of 245, 255, 588, 705, 769, 949
Woodford county, petition of citizens of 538, 557
Wooldridge, Edmund, nominated for Speaker 14
votes for 14
withdrawn 15
leave of absence granted to 670
Woodruff, D., petition of 248, 263
Woodsonville—see Towns.
Woodville—see Towns.
Woosley, Samuel, petition of 460
Yates, Lafayette, a bill for benefit of 287
Young, Henry D., petition of 601